THE COLLECTED WORKS OF MAHATMA GANDHI

VOLUME FIVE



THE PUBLICATIONS DIVISION

During the period covered by this volume, *Indian Opinion* had, in Gandhiji's hands, become an instrument of increasing influence. Through the Gujarati columns especially, he tried to educate Indians in South Africa in self-discipline, sanitation and good citizenship. He sought to inspire his readers by recounting the lives of great men and women.

The hardships suffered by the Indian community in the Transvaal reached a climax when the Government decided to enact a measure to compel the Indians to register for the third time despite their earlier voluntary re-registration on an assurance from Lord Milner. The mass meeting convened on September 11, 1906 to protest against the Ordinance was a landmark in the history of British Indians in South Africa. In commending the famous Fourth Resolution, Gandhiji called on the community to refuse to submit to the Ordinance and to accept jail-going in consequence.

Indians in Natal too had their problems. But, when the Zulu Rebellion broke out in February 1906, Gandhiji set aside all Indian grievances and, together with 19 associates, worked as a stretcher-bearer for nearly six weeks.

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Rs. 15

THE COLLECTED WORKS OF MAHATMA GANDHI

V

1905–1906



THE COLLECTED WORKS OF

MAHATMA GANDHI

V

(1905–1906)

सत्यमेव जयते

THE PUBLICATIONS DIVISION
MINISTRY OF INFORMATION AND BROADCASTING
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PREFACE

The period covered by this Volume, July 1905 - October 1906, was marked by significant changes in Gandhiji's personal life as well as in the life of the Indian community in South Africa. His Phœnix establishment was now a home for his colleagues including some of his European associates like Mr. West, though, because of his commitment to the service of the Transvaal Indians and the need to find resources for *Indian Opinion*, he continued to stay and practise at Johannesburg. Here, his family life had become more settled; the large household included his colleagues and assistants. After dinner, he and the other members took part in religious study or philosophical discussion. His legal practice prospered despite the strict code of professional ethics he had accepted for himself. The emphasis on simplicity, even austerity, and on manual labour increased. He walked the distance of six miles between home and office, both ways. His experiments in dietetics continued. In a letter (May 27, 1906) to Lakshmidas, his elder brother, he declared : "I do not claim anything as mine. All that I have is being utilized for public purposes . . . I have no desire for worldly enjoyments of any type whatever."

Another development was his growing conviction of the need for *brahmacharya* in a public worker. He had not then recognized its value for self-realization. But during the difficult marches that had to be performed with the Stretcher-bearer Corps at the time of the Zulu Rebellion, he has recorded, "the idea flashed upon me that, if I want to devote myself to the service of the community in this manner, I must relinquish the desire for children and wealth, lead the life of a *vanaprastha*, of one retired from household affairs". (*Autobiography*, Part. III, Chap. vii.) Being convinced that he "could not live both after the flesh and the spirit", he took in his 37th year a vow of *brahmacharya* for life. Finally, it was at the Mass Meeting of September 11, 1906 that he discovered the beauty and power of a pledge taken, with God as witness, to suffer all the penalties of non-submission to a bad law, and then the principle which later came to be called *satyagraha* took birth.

Indian Opinion had in his hands become an instrument of increasing influence. Through the Gujarati columns especially, he tried to educate the Indians in South Africa in self-discipline, sanitation and good citizenship, and to prepare them for *satyagraha*. And he sought to inspire his readers by recounting the lives of great men and women like Tolstoy, Lincoln, Mazzini, Elizabeth Fry, Florence Nightingale, Ishwarchandra Vidyasagar and T. Madhav Rao. Practical difficulties forced him to discontinue the Hindi and Tamil sections of the weekly. His letters to Chhaganlal Gandhi contain detailed instructions concerning the contents, quality and lay-out of the journal. It continued to face financial difficulties and Gandhiji had to appeal for wider support from the community.

On the problems of the Indian community in the Transvaal, he made strong representations time and again through the British Indian Association. For example, he criticized the requirement of European references for Indian refugees returning to the Transvaal and the cramping restrictions on travel by Indians in tram-cars and trains. When the Constitution Committee was set up in March 1906, the Association forcefully presented before it the Indian viewpoint. The problem of permits had become so acute that the Association decided to file test cases. But the climax was reached when the Government decided to enact a measure to compel the Indians to register for the third time despite their voluntary re-registration on an assurance from Lord Milner. From the day the Draft Asiatic Ordinance was gazetted, the tempo of events in South Africa mounted. The British Indian Association protested against the Ordinance on August 25, 1906. On September 8, Gandhiji condemned the Ordinance as "a crime against humanity" and a means devised by the Transvaal Government for compelling Indians to leave the Transvaal. Gandhiji explained the unwholesome implications of the "Black Act" at a private meeting and asked people not to re-register. The Mass Meeting of September 11 was a landmark. In commending the famous Fourth Resolution, Gandhiji called on the community to refuse to submit to the Ordinance and to accept jail-going in consequence. The mind of the community was profoundly exercised, and it was decided to send a deputation to England to put the Indian case before the Imperial Government.

Indians in Natal too had their problems. Refusal to renew their trading licences had become persistent and common, and Gandhiji interpreted the situation as a clear contest between Indians and the whites. In Dada Osman's case, an appeal was preferred to the Secretary of State for the Colonies. The Durban Town Council resolved not to issue fresh licences to Indian traders and hawkers. Earlier, Gandhiji had proposed that the Natal Indian Congress set up a Committee for enquiring into licence matters. Other troubles had also accumulated. A £1 tax was imposed on Indians above 16 years of age. Prohibitive fees were levied for passes and certificates. The deputation to England thus appeared to be an inescapable necessity and the Natal Indian Congress decided to send Gandhiji. But, when the Zulu Rebellion broke out in February 1906, Gandhiji set aside all Indian grievances and not only suggested Indians volunteering their services as ambulance workers, but also made an actual offer to the Natal Government, which it accepted towards the end of May. The deputation was thus put off and Gandhiji, together with 19 associates, worked as a stretcher-bearer for nearly six weeks.

In the weeks following his return from the front in July 1906, Gandhiji was faced with the deepening crisis caused by official determination to go ahead with the proposal for compulsory re-registration. Lord Selborne's refusa to accept the Indian case on the Asiatic Ordinance and Lord Elgin's view that the deputation would serve no useful purpose

only strengthened the Indian community's resolve to send Gandhiji and Ally to England. At a final meeting, Gandhiji agreed to go, but only after securing individual pledges from leading Indians that they would not submit to re-registration. He considered the community to be on trial and, even on the voyage to England, his mind was full of the idea of resistance, and one of his despatches to *Indian Opinion* laid down the do's and dont's of the struggle.

On the broader issues facing South Africa, Gandhiji seldom failed to make his attitude clear. Thus, he condemned without reserve the harsh treatment meted out to Chinese workers in the mines. When the Coloured people presented petitions demanding franchise under the new constitution for the Transvaal and the Orange River Colony, Gandhiji expressed full sympathy with the movement.

During this period, Gandhiji addressed several communications to the leading newspapers of the Transvaal and Natal. In June 1906, at the invitation of *The Natal Mercury*, he succinctly summed up outstanding Indian grievances and the case for their redress. In a letter to *The Rand Daily Mail*, he demanded full civil liberty for Indians. When an Indian woman, Punia, was prosecuted because she did not hold a separate permit, he launched a vigorous campaign in the Press and succeeded not only in exposing the hollowness of the official case, but also in compelling the papers to retract a statement published by them traducing the honour of Indian women.

Gandhiji was concerned not merely with agitation against discriminatory treatment; he continued to offer his usual, constructive advice to Indians. When the Natal Government proposed a commission to investigate the scope for local manufacture of goods, he urged Indian merchants to tender evidence before it. The cause of Indian education was a matter which he ceaselessly advocated, citing the example of educational progress in Baroda and endorsing the advice of Gokhale. He supported a move for an Indian Chamber of Commerce in South Africa.

Gandhiji kept close track of events in India. The demands of the Indian situation were constantly in his mind. He advocated the abolition of the Salt Tax. When the agitation against the partition of Bengal became acute, he called for unity and supported the boycott of British goods. He hailed the progress of the *swadeshi* movement and emphasized the need for communal harmony. He commended the adoption of *Bande Mataram* as India's national anthem, and of Hindustani as a common language for achieving nationhood. He took note of the work of Indian leaders, and supported Gokhale's nomination to the Congress presidentship. He called for greater consideration towards India's aspirations in view of her being "an integral part of the Empire" and supported the demand for Home Rule in the name of justice and humanity.

Significant events in the world at large also attracted his attention. The new Russian constitution based on the elective principle, he considered a forward step. He thought the revolution of 1905, if successful, would

be hailed as "the greatest victory and the greatest event of the century". He ascribed Japan's greatness to her faithful implementation of the Mikado's edicts in regard to education and to the conduct of the armed forces.

This volume furnishes the detailed context in which Gandhiji chose the *vanaprastha* way of life and emerged as a leader of men who realized that "some new principle had come into being". This was *satyagraha*, a clear and soul-satisfying alternative to constitutional agitation.

ACKNOWLEDGEMENTS

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For research and reference facilities, we owe thanks to the Gandhi Smarak Sangrahalaya, the Library of the Indian Council of World Affairs, the Central Secretariat Library and the United States Information Service Library, New Delhi; the Sabarmati Sangrahalaya and the Gujarat Vidyapith Granthalaya, Ahmedabad; the Public Library, Johannesburg; and the British Museum Library, London.

NOTE TO THE READER

The few petitions included in this Volume are attributed to Gandhiji, though signed by others, on grounds which have been explained in the Preface to Volume I. Gandhiji's writings in *Indian Opinion* have been identified on the basis of his general testimony in his autobiographical writings, the opinion of his associates, Messrs H. S. L. Polak and Chhaganlal Gandhi, and other available evidence.

In reproducing English material, every endeavour has been made to keep strictly to the original. Obvious typographical errors have been corrected and words abbreviated in the text have generally been spelt out. Variant spellings of names or words have been retained as in the original. In the translation from the Gujarati, our effort has been to reproduce faithfully the matter in the original, keeping in view at the same time their readability as English.

The date of an item, if available, has been given at the top right-hand corner; if the original bears no date, a conjectural date is given within square brackets, with reasons where necessary. The date given at the end of an item along with the source is that of publication.

Introductions in italics and matter within square brackets in the text have been supplied by the Editors. Round brackets occurring in the original have been retained. Passages quoted by Gandhiji have been printed in small type in indented paragraphs.

References in footnotes to Volume I of this series are to the August 1958 edition. References to *An Autobiography or The Story of My Experiments with Truth*, and *Satyagraha in South Africa* cite only the Part and Chapter in view of the varying pagination in the different editions.

In the source-line, the symbol S. N. stands for documents available in the Sabarmati Sangrahalaya, Ahmedabad; G. N. refers to those available in the Gandhi Smarak Nidhi and Sangrahalaya, New Delhi; and C.W. denotes the documents secured by the Collected Works of Mahatma Gandhi. Among the abbreviations sometimes to be found in the source-line, "C.S.O." stands for Colonial Secretary's Office, "C.O." for the Colonial Office and "Lt-G." or "L.G." for Lieutenant-Governor.

A list of sources and a chronology relating to the period are provided at the end of the Volume.

CONTENTS

out-buildings and other buildings forming the adjuncts of a dwelling-house, in so far as they serve the residential purposes of the house, and this tax has to be paid not by the owners, but by the occupier. Therefore, every occupier of a room even if it is worth only £50 will have to pay an annual tax of £1-10. There are many rooms which are made of wood and iron for which, probably, only five shillings per month is paid. The Government proposes to add a monthly half-a-crown to such rental. To say the least of it, there should have been some free limit under which the tax should not be levied. As it is, the Bill is open to very serious objection. These Bills are a sample of the activity of the new ministry.[1] We feel constrained to say that the stamp of inexperience is to be seen on every one of them. Every true citizen must sympathise with the Government in their efforts to bring the Colony out of its difficult pecuniary position; but the means adopted by them to raise revenue are almost without precedent in modern times, except during war time, and are opposed to sound economic principles. We hope that, for the sake of the fair name and fame of the Colony, these Bills will receive short shrift at the hands of the Assembly and the Council.

Indian Opinion, 1-7-1905

2. MR. BRODRICK[2] AND BRITISH INDIANS IN THE TRANSVAAL

Sir Mancherji[3] has drawn from Mr. Brodrick an important reply on the status of British Indians in the Transvaal. The member for Bethnal Green pressed for some solution of the Indian question, and Mr. Brodrick has stated emphatically that nothing of what the Indians enjoyed before the war would be taken away from them; that every pressure that could be brought to bear on the Transvaal was being brought, but that it was difficult to interfere with a self-governing Colony dealing with the immigration of such people as it may consider to be undesirable. The first statement made by Mr. Brodrick can only mean that it is the intention of the Imperial Government to see that Indians are not deprived of such rights as they may have enjoyed during the Boer regime. Such intention is not at present being carried out. To take only one instance : there was no restriction on the immigration of British Indians. At present, as these columns have shown repeatedly, no new Indians are being allowed to enter Transvaal territory, and the old residents are only allowed to enter in small numbers, and after they have undergone tedious, inconvenient and expensive formalities. That pressure is being brought by

1 Headed by C. J. Smythe.

2 St. John Brodrick, Secretary of State for India, 1903-5

3 Sir Mancherjee Merwanjee Bhownaggree, (1851-1933), Indian Barrister settled in England; Member of Parliament and of the British Committee of the Indian National Congress. *Vide* Vol. II, p. 376.

the Imperial Government, we know and appreciate. We question, however, whether the pressure is commensurate with the gravity of the situation. For the third statement made by the Right Honourable Gentleman gives rise to many a misgiving. It betrays a feeling of helplessness. The Transvaal is not yet a self-governing Colony,[1] but, by implication, Mr. Brodrick has considered it as such. Mr. Brodrick does not deny the promises referred to by Sir Mancherji; nor can it be denied that, when the promises were made, the responsible ministers knew what was coming. They knew that there was to be only one conclusion to the war, and that after the declaration of peace self-government was bound to come. It, therefore, means that the Home Government are now prepared, in their eagerness to conciliate the Transvaal European opinion, even to recede from their promises. It is apposite here to inquire why, so soon as peace was declared, the promises made to the Indians were not immediately fulfilled; also, why, even now, as suggested by Sir William Wedderburn,[2] so long as the Transvaal has not received actual self-government, the Home Government do not repeal the old restrictions on the British Indians, and thus throw on the Council that would be elected, under complete self-government, the onus of repealing such legislation and proving the necessity for it.

About the same time that Mr. Brodrick made the above statement, in a different place, but still as Secretary of State for India, he informed his audience that India had the first claim on their consideration, next only to Great Britain itself, in that the trade of Great Britain with India was larger than that done with Canada, Australia and South Africa combined. Had the interests of British Indians in the Transvaal been considered in such a spirit on the conclusion of war, when Lord Milner[3] put his pen through scores of old Transvaal Ordinances which were not consistent with British principles, he would not have hesitated to do likewise in connection with the anti-Indian legislation. Nor was it a matter of oversight; for immediately the country was opened up, British Indians approached Lord Milner for a cancellation of the anti-Indian laws. If that step had been taken, nothing would have been heard, probably, of anti-Indian agitation to-day; nor, in our opinion, is it yet too late to put into practice the theory propounded by Mr. Brodrick.

Indian Opinion, 1-7-1905

1 It became one in 1906.

2 Distinguished member of the Indian Civil Service, later connected with the Indian National Congress. *Vide* Vol. I, p. 386.

3 Viscount Milner, High Commissioner for South Africa, 1897-1905, Governor of the Cape Colony, 1897-1901 and of the Transvaal, 1901-5

3. *LORD SELBORNE*[1] *AND SELF-GOVERNMENT*

In view of what we have already said with reference to Mr. Brodrick's statement,[2] it is interesting to examine the definition of self-government given by Lord Selborne to a deputation that waited on him last week in the Orange River Colony, in order to request the grant of self-government to that Colony. His Excellency has thus defined that

> within the British Empire responsible government means, in strictly local affairs, absolute independence; it means absolute local independence so long as that independence does not encroach on the general harmony of the British Empire, or infringe any of those principles on which it is founded, or any of those imperial considerations which bind it together.

This is a definition worthy of a distinguished representative of the King-Emperor, and it is in accord with the professions repeatedly made by the Imperial Colonial Secretaries. The question, then, is whether the disabilities which British Indians suffer in the Transvaal do not encroach on the general harmony of the British Empire, or infringe any of those Imperial considerations which bind it together. The question is self-answered. Let us hope that His Excellency, when he is called upon to deal with the Indian question, will apply the definition given by him, and remove the present anomaly.

Indian Opinion, 1-7-1905

4. *DISCRIMINATION IN PUBLIC SERVICES*

Lord Curzon[3] has frequently declared that, in making public appointments, he made no discrimination between the white and the Coloured. On one occasion, he burst out with vehemence saying that Indians had no reason to complain in the matter of appointments. Moreover, he published a statement with figures to prove that quite a number of appointments were given to Indians. But the statement was misleading, for he had cleverly included in it many Indians drawing a salary of Rs. 75. The Hon. Mr. Gokhale[4] has exposed this hollow pretence.[5] He has shown that those who receive high salaries are almost all Europeans and that all the newly created posts have gone to them.

[From Gujarati]

Indian Opinion, 1-7-1905

[1] High Commissioner in South Africa and Governor of the Transvaal and Orange River Colony, 1905-10

[2] *Vide* the preceding item.

[3] Viceroy and Governor-General of India, 1899-1905

[4] Gopal Krishna Gokhale, (1866-1915), Indian leader and politician; presided over the Indian National Congress session in 1905. *Vide* Vol. II, p. 377-8.

[5] In one of his budget speeches in the Imperial Legislative Council.

5. *MAXIM GORKY*[1]

A comparison can be made, up to a point, between the people of Russia and our own. Just as we are poor, the Russian people are also poor. We have no voice in conducting the affairs of State and have to pay taxes without demur; the same is true of the Russians also. Seeing such oppression, some Russians do come out bravely against it from time to time. Some time ago, there was a rebellion in Russia and one of the chief participants was Maxim Gorky. This man was brought up in extreme poverty. At first he served as an apprentice to a shoe-maker, who discharged him. Afterwards he served as a soldier for some time. While in the army, he evinced a desire for education, but being poor could not get himself admitted to any good school. He then served under a lawyer and finally worked as a hawker at a baker's. All this time he continued educating himself through his own efforts. The very first book he wrote in 1892 was so excellent that he soon became famous. Thereafter, he wrote many things, all of them with a single purpose, viz., to stir up the people against the tyrannies they were labouring under, to warn the authorities and to render public service, in so far as this was possible. Without caring to make money, he writes with such vehemence and bitterness that the authorities keep a stern eye on him. He has also been to jail in the service of the people and considers imprisonment an honour. It is said that there is no other writer in Europe who is as great a champion of the people's rights as Maxim Gorky.

[From Gujarati]

Indian Opinion, 1-7-1905

6. *THE CHINESE AND THE INDIANS IN SINGAPORE*

Singapore can be said to be as near to the Chinese as it is to us. In that Colony an Indian has all the facilities a Chinese has. Despite this, our people there cannot hold their own against the Chinese. Many Chinese are in Government service, in the Public Works Department or are contractors, and are all very well off. Some even own motor cars. The number of Chinese who entered Singapore territory was 200,947 in 1900, 178,778 in 1901, 207,156 in 1902 and 220,321 in 1903; while the number of Indians who migrated there was 21,000 a year, most of them from Madras. This shows how much is yet to be achieved by our people in the matter of emigration to, and settling in, foreign territories. It is a shame that we cannot keep abreast of the Chinese.

[From Gujarati]

Indian Opinion, 1-7-1905

[1] (1868-1936), Russian novelist

7. LETTER TO HIGH COMMISSIONER'S SECRETARY

JOHANNESBURG,
July 1, 1905

TO
THE PRIVATE SECRETARY
TO HIS EXCELLENCY THE HIGH COMMISSIONER
JOHANNESBURG

SIR,

I have the honour to enclose herewith copies of communications exchanged between the Government of the Orange River Colony and my Association,[1] in connection with the bye-laws from time to time sanctioned by His Excellency the Lieutenant-Governor of the Colony, regarding Coloured persons. My Association ventures to draw His Excellency's attention to the fact that no fresh legislation has been asked for in my letter. In the humble opinion of my Association, the powers already possessed by the Lieutenant-Governor enable him to veto bye-laws which are contrary to British traditions and to the Letters Patent. My Association is informed that such legislation as the municipalities have been allowed to pass would have to be reserved for His Majesty's assent, if it were passed by the Legislative Council. My Association also ventures to think that the last paragraph of the letter, written by the Acting Colonial Secretary, is a complete justification for the complaint made by my Association, for, if the question raised is of no practical importance as there are so few British Indians, it cannot be of practical importance to pass legislation of the character referred to in my communication. While it is of no use in the Colony, it wounds, unnecessarily, the feelings of the British Indian community in South Africa, and my Association, therefore, ventures to trust that His Excellency will be graciously pleased to inquire into the bye-laws that have been passed and sanctioned for the various municipalities in the Orange River Colony, and grant the necessary relief.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI,
CHAIRMAN
BRITISH INDIAN ASSOCIATION

Indian Opinion, 8-7-1905

[1] *Vide* Vol. IV, p. 403, "Letter to Colonial Secretary" to which the Government had replied that no legislation for the restriction of the powers of municipalities in the Colony was contemplated.

8. LETTER TO KAIKHUSHROO AND ABDUL HUK

[JOHANNESBURG,]
July 3, 1905

MY DEAR SHRI KAIKHUSHROO AND ABDUL HUK,

Your letter to hand. I am satisfied with your reply.[1] It is not proper for you to want to know the writer's name. I have written to you that it is not at all necessary for you to know it. There is nothing for you even to be afraid of. You should forget all about it. He who would do his duty should remain undaunted by what others say.

Let me know the amount that stands debited to my account. I have not yet credited the money that has been advanced to the press.

Salaams from
M. K. GANDHI

MESSRS JALBHOY SORABJEE BROS.
110 FIELD STREET
[DURBAN]

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 511

9. ORANGE RIVER COLONY LEGISLATION

We publish two important communications in this issue on the status of British Indians in the Orange River Colony. The one is a short and belated reply from the Colonial Secretary of that Colony to the protest of the British Indian Association at Johannesburg, against the anti-Asiatic municipal legislation that has been sanctioned by the Lieutenant-Governor from time to time, by the municipalities of the Orange River Colony. The second letter is from Mr. H. R. Fox-Bourne, the Secretary of the Aborigines Protection Society, addressed to Mr. Lyttelton.[2] The two communications are a contrast. The Colonial Secretary writes saying that the Government are not contemplating any legislation with a view to restricting the powers of local government at present enjoyed by municipalities in the Orange River Colony. This, in our opinion, is purely begging the question. The British Indian Association has never asked for any legislation to restrict the powers, because the veto is already [vested] in the Lieutenant-Governor. No bye-laws are of any force unless sanctioned by the Lieutenant-Governor, and we know of no statute, even for the Orange River Colony, which compels the Lieutenant-Governor to sanction any bye-laws that the municipalities may pass. On the contrary, the instructions issued to His Excellency are that he is not to sanction any colour

[1] To Gandhiji's letter dated June 27, 1905. *Vide* Vol. IV, p. 479.

[2] Alfred Lyttelton, Secretary of State for the Colonies, 1903-5

legislation; and one would suppose that, if he may not do that in respect of laws applying to the whole of the Colony, he cannot also do so in respect of laws applying to a particular municipality in that Colony. The reason given by the Colonial Secretary is sarcastic. He says: "As there are so few British Indians in the Colony, I think you will agree that the question raised by you is not of great *practical* importance". The word practical is underlined in the letter. What is the meaning? It simply shows that the gates of the Orange River Colony are for ever to remain barred against the British Indian, and also that, if he ever entered the Colony, he would do so in the face of all the restrictive powers, and if he protests, he would be told that such laws could not be repealed. 'Too late' will be flung in his face. May we not ask the Colonial Secretary why, as there are so few British Indians in the Orange River Colony, the wanton insult is offered at all? Is it practical statesmanship to wound the feelings of a whole nation, even when there is not an iota of justification for it? Surely the municipalities of the Orange River Colony could not be so unreasonable as not to listen to expostulations from the Lieutenant-Governor on a matter which, on the Colonial Secretary's own showing, is of no importance to them, unless they delight in heaping unnecessary insults on a community which has never done them any harm. But we would not pursue the examination of the letter any further. We are glad that the British Indian Association has already moved in the matter, and approached the High Commissioner.

In pleasant contrast to the letter we find Mr. Fox-Bourne's communication to the Colonial Secretary. We invite the attention of all South African Imperialists to this important communication, which we have copied from our contemporary, *India*. Much has been often said in South Africa against the Aborigines Protection Society. We hope, however, that the South African Press and South African readers will treat each act on its own merits, and not condemn, by reason of pre-conceived prejudice, anything that may emanate from the Aborigines Protection Society, which, after all, counts among its members some of the noblest of Britons. Mr. Fox-Bourne has also assurances to be fulfilled in this matter. He has reminded the Colonial Secretary that, before the war, in reply to his Society's representations, certain promises were given. He, therefore, "ventures to hope that no time will be lost in fulfilling those assurances", and he is "encouraged in the hope, at any rate as regarding Coloured persons who are British subjects and not uncivilised, by remarks made by Lord Milner". The Imperial Government have a hard nut to crack. They have either to adopt the advice of Sir Arthur Lawley[1] and boldly commit a breach of their promises, or to fulfil them in accordance with British traditions.

Indian Opinion, 8-7-1905

[1] Former High Commissioner in the Transvaal

10. THE CHINESE AND ABUSIVE LANGUAGE

A deputation on behalf of whites from the Transvaal mines waited upon Lord Selborne on July 1, and prayed for protection for the whites against Chinese labourers. It stated that the whites did not behave badly towards the Chinese; that, since thirty or forty Chinese worked under a white supervisor, it was not difficult for the Chinese to take his life in the event of a riot; that the Chinese frequently insulted their white boss by using foul language and making indecent gestures; and that the language they used was so foul that it was impossible for the deputation to reproduce it. They said that a white man would not take such an insult lying down. In his reply, Lord Selborne said that there had been only twenty cases of assault by the Chinese until then, though the Chinese labour numbered 40,000; that their complaint about the language was without substance, for the white himself used abusive language and set a bad example. It was harmful to the whites themselves to indulge in drink and indecent behaviour in the presence of the Chinese. If one uses abusive words while addressing persons utterly ignorant of the language, they pick them up parrot-like, and it is then very difficult to mend matters. Moreover, he said, the whiteness of the whites should not be limited to their skin only but should permeate within also; that is, they should have the art of inducing respect, obedience and awe in others by their own exemplary conduct. Then only could they be called white in reality. In brief, he held the whites themselves responsible for the ugly behaviour of the Chinese, and indicated the need of winning the Chinese over by their own good behaviour. Several other difficulties also were placed by the deputationists before Lord Selborne, who promised to give adequate attention to them.

[From Gujarati]
Indian Opinion, 8-7-1905

11. SALT TAX IN INDIA

Dr. Hutchinson's Strong Criticism

The tax levied on salt in India has always been a subject of criticism. This time it has been criticised by the well-known Dr. Hutchinson, who says that it is a great shame for the British Government in India to continue it, while a similar tax previously in force in Japan has been abolished. The tax should be immediately abolished. Salt is an essential article in our dietary. It could be said that to a certain extent, the increasing incidence of leprosy in India was due to the salt tax. Dr. Hutchinson considers the salt tax a barbarous practice, which ill becomes the British Government.

[From Gujarati]
Indian Opinion, 8-7-1905

12. LETTER TO DADA OSMAN

[JOHANNESBURG,]
July 8, 1905

DEAR SHETH DADA OSMAN,

I have your letter. I see that it is absolutely necessary for you to go to Vryheid. I am afraid you will be able to do nothing without making the necessary arrangements there. I can do precious little, sitting here. In case a fine is imposed, I cannot advise you to have the shop kept open in your absence.

A lot will depend on Hoondamal's appeal.[1] Please see that all possible care is taken in the matter of that appeal. Let me know who will appear at the appeal. If it is won, you will be able to reopen your shop. Meanwhile it might be profitable to see the Town Clerk and other officials.

I do not see any cause for worry if Abdulla Sheth does not give the accounts. All hope of Dada Sheth's getting more money has already been given up, so that there is no cause for worry at all.

Salaams from
M. K. GANDHI

MR. DADA OSMAN
BOX 88
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 582

13. LETTER TO PARSEE COWASJI

[JOHANNESBURG,]
July 8, 1905

DEAR SHRI PARSEE COWASJI,

Your letter to hand. I am not in a position to give you monetary help.

M. K. GANDHI

MR. PARSEE COWASJI,[2]
115 FIELD STREET
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 584

[1] *Vide* Vol. IV, pp. 348, 357-9 and 367.
[2] Gandhiji has spelt the name here as "Kavasji".

14. LETTER TO J. DE VILLIERS

[JOHANNESBURG,]
July 12, 1905

TO
J. DE VILLIERS, ESQ.
18 AEGIS BUILDINGS
JOHANNESBURG

DEAR SIR,

Re: Ismail & Lucas

I have purposely delayed sending you cheque for this bill in the hope of being able some time to wait upon you with a view to getting a reduction. Owing to pressure of work, however, I have not been able to get out of the office. All that Said Ismail had was this claim. To him, therefore, the loss of £1,300 and payment of costs are a very great loss. May I, therefore, ask you to make a substantial reduction in your account? I approached Mr. Leonard and he was good enough to grant a reduction.

I enclose your bill herewith.

Yours faithfully,
M. K. GANDHI

1 Enclosure[1]

Letter Book (1905) : No. 630

15. LETTER TO COLONIAL SECRETARY

JOHANNESBURG,
July 13, 1905

TO
THE HONOURABLE THE COLONIAL SECRETARY
PRETORIA

SIR,

On behalf of my Association, I am respectfully to protest against clause 3 of the draft Ordinance to "generally amend the Municipal statutes" of the Colony, as published in a supplement to the *Government Gazette* dated the 7th inst.

My Association ventures to submit that the giving of the control of Asiatic Bazaars to the Town Councils is premature and calculated to prejudice the status of British Indians in the Colony in view of the fact that the whole question of anti-Asiatic legislation is now under consideration

[1] Not available

by the local Government as also by the Imperial Government. Law 3 of 1885 contemplates government control, and seeing that the municipalities in the Transvaal are swayed very largely by colour prejudice, my Association humbly thinks that it would be an injustice to British Indians to give over control of Asiatic Bazaars to the municipalities or local boards.

My Association, therefore, trusts that the Government will be pleased to withdraw the clause in question, and allow the matter to remain in abeyance until the whole question of the status of British Indians in the Colony is placed on a final footing.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI,
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 22-7-1905

16. LETTER TO JALBHOY & SORABJEE BROS.

[JOHANNESBURG,]
July 13, 1905

MESSRS JALBHOY & SORABJEE BROS.
110 FIELD STREET
DURBAN

DEAR SIRS,

You have forgotten to send me an extract of the Press account against me. Please let me have it at your convenience. I hope you will be good enough to execute with promptness orders that may be given in connection with the Press, as things are not yet quite in order at Phœnix.

Yours truly,
M. K. GANDHI

[PS.]

I have your letter of the 11th instant. I am glad you have got the credit from Mr. Laughton,[1] which I return. I thank you [for] having paid Chhaganlal £100; I note you have sent a draft for £80 to Mr. Rustomji.[2]

Letter Book (1905): No. 633

[1] F. A. Laughton, a leading advocate. *Vide* Vol. I, p. 383.
[2] Parsi Rustomji, Indian merchant and co-worker of Gandhiji. *Vide* Vol. I, p. 385.

17. LETTER TO HINE & CARRUTHERS

[JOHANNESBURG,]
July 13, 1905

TO
MESSRS HINE & CARRUTHERS
P. O. Box 261
JOHANNESBURG

DEAR SIRS,

Re: Estate Abdul Karim Deceased

I regret that I have only just broken the back of the document left by you with me for translation. There are still 24 closely written sides to be translated. I need hardly say that this will be a most expensive translation. The amount of work already put in is over £2, and by the time I have finished, it will be quite £12. However, from what I have already read, it appears that my agents at Porbandar had to go by a most circuitous route to get a certified copy, the reason being the changes of the law which prevent any but the interested parties within the jurisdiction of the court getting certified copies. However, if you wish me to continue the translation, I will do so, and it will take me quite a week before I can let you have the whole of it, as under my present engagements it would not be possible for me to devote two full days to it, which is the necessary time for the work. I am in a position to devote only a little time from day to day.

Yours faithfully,
M. K. GANDHI

Letter Book (1905): No. 649

18. LETTER TO OMAR HAJI AMOD

[JOHANNESBURG,]
July 13, 1905

DEAR SHETH OMAR HAJI AMOD,

Your letter to hand. I am returning herewith the newspaper clippings. They show that the influence of the *Opinion* is increasing.

I am enclosing a letter written in English so that you may show it to your lawyer. Some trustee should be appointed by the courts in virtue of the terms of the will. Then when the papers come here, the property will be entered in the names of both of you. Thereafter the lease will

be registered. As you will be able to understand what I have written in English I do not dilate upon it any further.

Salaams from
M. K. GANDHI

OMAR HAJI AMOD ZAVERI[1] ESQ.
BOX 441
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 651

19. LETTER TO TOWN CLERK[2]

[JOHANNESBURG,]
July 14, 1905

TO
THE TOWN CLERK
JOHANNESBURG

SIR,

Re: Indian Travelling on the Tram-cars

I have now slept over our conversation herein, and have also compared notes with my client. If a definite assurance can be given to the effect that facilities will be provided for Indian[s] travelling on the new tram-cars, my client will refrain from testing his right in a law court, but if it cannot, it appears very advisable that the issue should be definitely decided now. My personal experience has been that, where an absence of certain rights has been assumed without reason, rearrangement has, as a rule, proceeded upon such assumption, and what was once an open question has upon rearrangement been definitely decided against the granting of such right or rights. I venture, therefore, to think that the proposal above made is quite reasonable.

I have the honour to remain,
Sir,
Your obedient servant,
M. K. GANDHI

Letter Book (1905): No. 659

20. THE CAPE IMMIGRATION RESTRICTION ACT

We publish in another column the text of a letter received by the Chairman of the British Indian League at Cape Town from the Colonial Secretary's Office, in reply to representations of the League on the working of the Cape Immigration Act. The Colonial Secretary brushes aside

1 The original Gujarati has, however, "Johari".
2 *Vide* Vol. IV, p. 470.

in a single sentence the request made by the League as to the recognition of the Indian languages. We hope that the British Indian League will not leave the question at that. With reference to the interpretation of the term "domicile", the reply is most unsatisfactory. It is not every Indian who can show possession of immovable property, or presence of wife and children in the Colony. If such an interpretation is insisted upon, it cannot but cause unnecessary hardship, in spite of the intention of the Colonial Secretary not to do so. A man may leave his business at the Cape, pay a temporary visit to India, and find himself for ever shut out of the Cape, because his wife and children are not in the Colony, or he does not own immovable property. It would then simply mean ruin to the poor store-keeper who, under a false sense of security, may have gone to India, leaving his business in temporary charge of his manager. Nor is this illustration an imaginary one, for we understand that cases of such Indians having been refused re-entrance have actually happened. The least, therefore, that Colonel Crewe[1] could do to satisfy the requirements of justice is to recognise the rights of those who may have left business or employment in the country to re-enter. It will then be possible for them to talk of an exercise of leniency, for, in the definition given by him, so far there has been no leniency but a very strict application of the law; and then only will it be possible for the British Indian League to recognise the reasonable attitude of the Government. For the present, we think, with the greatest deference, that it is unjust, unreasonable and calculated to impose very serious hardship on the British Indians residing in the Cape Colony.

Indian Opinion, 15-7-1905

21. MR. WACHA[2] AND INDIANS

Mr. Wacha, the genial Joint Secretary of the National Congress, has written to us a letter which is full of encouragement, hope and suggestion. We reproduce the main portion of it in another column. He has given a parallel case which is of some importance in the controversy that is going on in South Africa over the status of British Indians. "The settlers," says Mr. Wacha,

> on your side, seem to have forgotten how merchants and traders themselves used to complain in the bitterest terms of the East India Co., which, up till the Act of 1833, interdicted them from trading in India. Those who came were styled 'interlopers', but the interlopers were persevering and earnest,

and we know that they succeeded. Earnestness and perseverance are also the keynote to the situation in South Africa. We have far greater justice on our side than they of 1833. British Indians have a threefold

[1] Colonial Secretary, Cape Colony

[2] Dinshaw Edulji Wacha, (1844-1936), presided over the Indian National Congress session in 1901 and was nominated member of the Viceroy's Legislative Council. *Vide* Vol. II, p. 380.

right to have their status made good in South Africa. The Proclamation of 1858, no matter what may be said to the contrary, guarantees them full British subject rights. They have shown themselves to be industrious, sober, law-abiding and honest in South Africa, and, as has been often admitted, they have been very useful in developing its resources. They have also had promises of fair and equal treatment, especially regarding their civil rights in South Africa, from responsible ministers.

Indian Opinion, 15-7-1905

22. HOUSE TAX IN NATAL

Popular feeling is growing against the House Tax Bill published in the Natal *Government Gazette*. A public meeting was held on the night of the 10th instant in Maritzburg to consider the Bill, and a meeting was also held in Durban on Thursday evening. A large number of people has signed various petitions protesting against the Bill. The proposed house tax has become even more irksome than the poll-tax. The measures proposed are very defective and the Bill is objectionable even if passed as a temporary measure. If introduced, this tax would be regarded more equitable than the poll-tax as a permanent levy. The poll-tax cannot be tolerated for ever, though it is true that it is levied in some countries. In view of the public feeling against the house tax, it should either be modified or dropped altogether, so that the feeling against the poll-tax may not be intensified.

[From Gujarati]

Indian Opinion, 15-7-1905

23. JAPAN'S PREPARATION FOR PEACE

The Capture of Southelian Island

The Japanese have captured the Southelian Island from the Russians and landed their troops there. This island is 670 miles long, and 20 to 150 miles broad. Its area is 24,550 square miles, that is, more extensive than that of Kathiawad. The southern part of the island was in the possession of Japan till the year 1875, but was later passed on to Russia in exchange for the Kuril Islands.[1] In that island, there are many kerosene wells, and coal also is found in abundance. The negotiations for peace now in progress have been very greatly influenced by the capture of such a big island by Japan. *The Times* says that no other event during the war has hit the Russians so severely. This event has proved that Russia is quite incapable of defending her boundaries. It is not yet fifty

1 A chain of small islands in the North Pacific Ocean.

years since this island came into the hands of the Russians. She had taken possession of it through political machinations and Japan had to suffer a lot on that account. But for this great war, the island would have continued to be in Russian hands. Japan had had her eye on the island for a long time, and it is believed that this timely victory will strengthen the Japanese position in the peace negotiations at Washington. By the time the Peace Committee is in session, we might possibly hear of Marshal Oyama having dealt a severe blow to the Russian General, Linewich. The Japanese army declines to suspend hostilities for a short spell of truce, but intends to wage furious war and force Russia into concluding a lasting peace. And they will show that there is no alternative for Russia but to sign a peace treaty. They confidently declare that the Russian emissaries of peace will ultimately have to accept Japan's terms.

[From Gujarati]

Indian Opinion, 15-7-1905

24. LETTER TO CHHAGANLAL GANDHI

21-24 COURT CHAMBERS,
CORNER RISSIK & ANDERSON STREETS,
P. O. BOX 6522,
JOHANNESBURG,
July 15, 1905

MY DEAR CHHAGANLAL,

I have your letter. An account has been sent to you up to date from which you will find the monies received regarding the Earthquake Fund.[1] You will notice also there are some monies received for the Durban flood fund from Miss Neufliess, which you may hand to Mr. Omar. Continuing sheets have been received, so also the scribbling blocks. I do not quite understand your reference to supervision. You should send me concrete instances, and I would understand the working much better. I should also like to know where loss has been incurred or sustained. Dahya Jogi's money has been received; the amount is £1-2-6. I know the matter was sent late. I am now sending you as much as possible to-day. Balance, if any, will be sent tomorrow. West[2] writes to me saying that Maganlal should leave about September, returning by December, telling me also that such is your opinion. If it is possible to manage without Maganlal, I have no objection. How are Kaba and Anandlal doing? Is Pillay now

[1] *Vide* Vol. IV, pp. 428-9.

[2] Albert West met Gandhiji in 1904 in a vegetarian restaurant in Johannesburg and offered to nurse plague patients. Instead Gandhiji entrusted him with the management of *Indian Opinion* and the International Printing Press where it was printed. "From that day until I left the shores of South Africa," says Gandhiji, "he remained a partner of my joys and sorrows". Vide *Autobiography*, Part IV, Chapter XVI.

completely cured? Did Maganlal receive the Tamil books? Has he commenced the study?

Yours sincerely,
M. K. GANDHI

[PS.]

Please send Y.M.C.A. Johannesburg for one year *I.O.* The money has been received from Mr. Macintyre.

M. K. G.

Memo re. Earthquake and Miss Neufliess will be separate.

C. K. GANDHI, ESQ.
C/O INTERNATIONAL PRINTING PRESS
PHŒNIX

From a photostat of the original: S. N. 4245

25. LETTER TO OMAR HAJI AMOD ZAVERI

[JOHANNESBURG,]
July 17, 1905

MY DEAR SHETH OMAR HAJI AMOD ZAVERI,

Your letter to hand. I am returning herewith both the letters of Sheth Haji Ismail[1]. I do not at all like the way he has written them. I can see from it that it will be difficult to exercise control over his expenditure. If the expenses there come to as much as the rent, you have to consider what is to be done about it.

If the business here does not yield profit enough to meet the expenditure at Porbandar, it will amount to consuming the capital. I believe it will be necessary to remit £100 a month for the present to Porbandar in order to obviate further bitterness. I am writing to Sheth Haji Ismail today.[2]

Salaams from
M. K. GANDHI

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 678

[1] Nephew of the addressee.
[2] *Vide* the following item.

26. LETTER TO HAJI ISMAIL HAJI ABOOBAKER

[Johannesburg,]
July 17, 1905

DEAR SHETH HAJI ISMAIL HAJI ABOOBAKER,

I have received a letter from Omar Sheth in which he says that this expenditure is too much. I have also read your last two letters. I think they lack in the requisite courtesy. Omar Sheth is your uncle; therefore the letters from your end should be full of courtesy as only befits your noble family.

What Omar Sheth says about expenses deserves to be carefully considered. There is a world of difference between the time when Omar Sheth visited England and the present. The rents have gone down by half and will go down still further. The expenses here are met from the rents received, so that the time has come when you have to live on capital. I think your estate is such that it should never be necessary for you to live on your capital. Even millionaires who fell back on their capital have run through it. My earnest advice to you, therefore, is that you should be very careful in spending money on your household. I believe some of the expenditure can be reduced. Please take good care of your health. Exercise and regulated diet are the essential things.

Salaams from
M. K. Gandhi

Haji Ismail Haji Aboobaker Amod Zaveri, Esq.
Porbunder
Kathiawad
via Bombay

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 693

27. LETTER TO "THE DAILY EXPRESS"

Johannesburg,
[After *July 17, 1905*]

TO
The Editor
The Daily Express

SIR,

I trust you will allow me to reply to your correspondent who, under the elegant pseudonym of "Sinkramsam", has attacked British Indians through your columns in your issue of the 17th instant. There is a homely Indian saying that you can take a horse to a watercourse but

cannot compel him to drink the water. So also those who shut their eyes to facts placed before them are not to be disabused of their misconceptions. Your correspondent, I very much fear, belongs to that category. For his information, however, I ask again the question, if there were only thirteen Indian (not "coolie", as your correspondent would have it) "store-keepers, traders and hawkers" before the war, how is it that the challenge issued by the Chairman of the British Indian Association has not been taken up by Mr. Kleinenberg[1]? Remember that the names of these store-keepers have been supplied to the Press. I note that your correspondent has gone one better, in that he makes bold to say that the number thirteen includes store-keepers, traders and hawkers. Unfortunately for him, he has chosen a fatal number, and I am prepared to deposit with you the sum of £100 to be forfeited to any anti-Indian Association your correspondent may name if I fail to prove to the satisfaction of two arbitrators, one to be chosen by him and the other by me, with power to them to appoint an umpire, that there were more than twice the number of store-keepers, traders and hawkers mentioned by your correspondent prior to the war in the town of Pietersburg; provided that he forfeits to the British Indian Association an equal sum in the event of the award being in my favour. So much for Sinkramsam's figures.

As to the charge that the Native is being fleeced by British Indians, I can only refer your correspondent to Sir James Hulett's testimony[2] before the Native Affairs Commission as to which is the greater evil-doer, the European or the Indian. With reference to the other charges made by your correspondent, and based on "information" supplied to him, I can only say that sensible people will rate them at their true value. If there is any nefarious trade done by Indians, and he has received the information, surely the remedy is in his own hands, and if the question of trading licences is not yet settled once and for all, it is because Sinkramsam and his coadjutors would not accept the very reasonable compromise suggested by British Indians, whereby the control of new licences would be handed to the Town Councillors to be elected largely by Sinkramsam and his friends. You, Sir, have some experience of the British Indian question as it was prior to the war. You have experience of British Indians also. You have adopted an independent attitude in journalism. I am sure you do not wish racial hatred between the component parts of the British Empire to grow. It must be within your knowledge that some of the facts stated by your correspondent are untrue. Will you not be carrying out your mission by correcting what are undoubtedly palpable mis-statements? Indians want only a fair field and no favour. Justice ought not to be a dear commodity under the British flag.

I am, etc.,
M. K. GANDHI

Indian Opinion, 29-7-1905

[1] *Vide* Vol. IV, p. 330.
[2] *Vide* Vol. III, p. 456.

28. LETTER TO REVASHANKAR JHAVERI

[JOHANNESBURG,]
July 18, 1905

RESPECTED REVASHANKARBHAI,

Your letter to hand. Please debit Rs. 45 to my account for Capt. McGregor. I have debited the sum to his account crediting the same to yours.

I think it best to send Chi.[1] Harilal here. It is quite necessary to reduce to the utmost the expenditure that is being incurred there. The burden on me here is so heavy that it is difficult for me to meet the expenses there. Nor do I see that Harilal's interests are served thereby. Please write to Raliatbehn[2] that she should limit her expenses to about Rs. 20 to 25. I, too, have written to her to cut down on her expenses.[3]

I am glad to read the news about Chi. Manilal[4] and Suraj.

Yours respectfully,
MOHANDAS

MESSRS REVASHANKAR JAGJIVAN & CO.
JHAVERI BAZAAR
NEAR KHARA KUVA
BOMBAY

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 696

29. LETTER TO RAVISHANKAR BHATT

[JOHANNESBURG,]
July 21, 1905

DEAR SHRI[5] RAVISHANKAR BHATT,

Your letter to hand. In my opinion, we are all bound to honour and welcome any learned Indian who happens to come here. We have nothing to do with his religious preaching. Both Hindus and Mahomedans should join in honouring him. I, therefore, regard it our duty to honour Prof. Parmanand[6]. As to his religious teachings, those who are

[1] Abbreviation for *Chiranjeevi*, meaning "long-lived". Prefixed to the name of a younger person, it implies the blessing, "May you live long!"

[2] Gandhiji's eldest sister.

[3] This letter is not available.

[4] Son of the addressee.

[5] The original has "Shri 5", which means that the "Shri" is to be repeated five times—a sign of respect.

[6] A missionary of the Arya Samaj, later known as Bhai Parmanand; visited South Africa and delivered a series of lectures. *Vide* "Prof. Parmanand", p. 48 and "Address to Prof. Parmanand", p. 108.

his associates in those teachings might do whatever they like later on. I, therefore, think that you should not refrain from honouring him. I have not given my consent to the collection of subscriptions, etc., nor do I intend to do so.

Yours truly,
M. K. GANDHI

R. P. BHATT
BOX 529
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 727

30. LETTER TO MAGHRAJ & MOODLEY

[JOHANNESBURG,]
July 21, 1905

DEAR SIRS,

I have your letter of the 9th instant. I do not think that a collection is called for in Johannesburg just yet. I have already had a complaint before me saying that my name is being used in connection with the collection[1] being made there. I should very much like you not to give the reception a religious aspect. You may be aware that there are differences between the Samajic teaching and the orthodox Hindu teaching, and a complaint has been forwarded to me from the latter. We owe respect to any cultured Indian who may arrive from India, and I would rather you gave a suitable reception from Indians representing all classes, but that can only be done if it is bereft of the religious element, and then those who are interested in the Arya Samaj teaching will have to see specially to it.

Yours faithfully,
M. K. GANDHI

MESSRS B. A. MAGHRAJ & A. MOODLEY
P. O. BOX 182
DURBAN

Letter Book (1905): No. 730

[1] For Prof. Parmanand. *Vide* the preceding item.

31. LETTER TO CAPT. FOWLE

[Johannesburg,]
July 21, 1905

TO
Capt. Fowle
P. O. Box 1199
Johannesburg

DEAR CAPT. FOWLE,

I notice that the detectives are still going round in search [of] permitless Indians. In their search, they examined 16-year-old boys also. They are staying in the Colony, especially the one I have written to you about, on your assurance. They are, Sir, from their appearance, under 16 years or were certainly of that age when they arrived. The only defect is that they have not their parents here, but are either orphans and under their natural guardians, or are being brought up by their relations who take the position of parents. I hope, therefore, that you will be good enough to instruct the detectives not to touch these boys while the matter is being fixed up.

I remain,
Yours truly,
M. K. Gandhi

Letter Book (1905): No. 729

32. MR. BRODRICK'S BUDGET

There are features in the Budget statement made by the Secretary of State for India to the House of Commons on the motion that the House should go into committee on the East India Revenue accounts. It is a happy augury that Mr. Brodrick has presented his statement almost for the first time, within recent times, during the middle of the session instead of, as usual, at the end, when the Indian Secretary goes through the farce of addressing empty benches. The departure, too, has been deliberate. "Discussion," said Mr. Brodrick, "at this earlier period is more likely to lead to useful criticism and efficient administration". He hoped, too, that the precedent would be followed, whether in future he was the holder of the high office or an honourable member from the Opposition benches. Mr. Brodrick took occasion to show most clearly the extent of the services rendered to the Empire by much-maligned India, and both the services he laid so much stress upon are such as to command attention and appreciation in South Africa.

Of the one hundred and forty-three million pounds of trade in 1902 and

> 1903, sixty-two million pounds was trade directly with Great Britain. Of the trade of last year, one hundred and seventy-four million, seven hundred and forty-eight thousand pounds, seventy-seven million pounds was directly to and from Great Britain. That is not an inconsiderable item in the trade of Great Britain, and if we compare these figures, as some people from different points of view are now occupied in comparing the trade of the Colonies with the trade of India, I could point out that the exports from the United Kingdom to India in 1902, which were thirty-three million five hundred thousand pounds, were equal to the exports to Canada, the British Colonies, and North America, and to Australia, and last year those exports, which had grown to forty million pounds, equalled the whole of the exports from this country to Australia, to Canada and to Cape Colony combined.

There was no difficulty in Mr. Brodrick's drawing the natural deduction. He, therefore, went on:

> I trust I shall carry every member of this House with me when I say that the trade of India with the United Kingdom tends continually to increase. The stake of the United Kingdom in the trade of India and the stake of India in the trade of the United Kingdom are such that we are entitled to claim a first place for India in all the discussions that may take place as regards trade within the Empire.

Another statement that Mr. Brodrick made was with reference to the defences of the Empire. India forms a training ground for seventy-five thousand British troops and a breeding ground for one hundred and forty thousand British Indian troops which are held at the disposal of the Empire in any emergency. The whole cost is borne by India, representing an expense of twenty-and-a-half millions out of a revenue of eighty-two millions. Distinguished generals from Lord Roberts downwards have testified to the efficacy of the services of the Indian Army. Sir George White and his army gave a striking illustration of this preparedness during the Boer War. These are all facts pregnant with meaning. They ought to be studied and pondered by South African politicians; and, after they have done so, we respectfully suggest to them that they should ask themselves the question whether it would pay, even from a purely selfish standpoint, to continuously treat the inhabitants of India as complete aliens undeserving of any consideration whatsoever at their hands.

Indian Opinion, 22-7-1905

33. ASIATIC BAZAARS IN THE TRANSVAAL

A recent issue of the Transvaal *Government Gazette* contains a Draft Ordinance which has the following amongst other clauses:

> (1) The Council may, with the approval of the Lieutenant-Governor, set apart, maintain, and carry on bazaars or other areas exclusively for occupation by Asiatics, and control and supervise the same in accordance with Regulations made from time to time by the Lieutenant-Governor, and may lease the land and any buildings or other erections thereon to Asiatics upon such terms and at such rents as may be prescribed from time to time by such Regulations aforesaid.

(2) The sites of any bazaars or other places pointed out under the provisions of Law 3 of 1885 or any amendment thereof may be transferred by the Lieutenant-Governor to any Council of a Municipality, subject to existing leases thereover, and every such transfer shall be free of transfer stamp duty, and registration or other charges, and any such bazaar or site so transferred shall be deemed to be a bazaar or area set apart under sub-section (1) of this section.

(3) The provisions of section two of this Ordinance shall, *mutatis mutandis*, apply for the purpose of enabling a Council to close such bazaars and areas and lay out other land suitable for the same.

(4) The term 'Council' in this section shall include a Council of a Municipality whether constituted under the Municipal Corporations Ordinance, 1903, the Municipal Corporations Amendment Ordinance, 1904, or under any special law.

The British Indian Association at Johannesburg has lost no time in protesting against the contemplated transfer of the control of the Bazaars to the municipalities.[1] The objections to such transference are, in our opinion, unanswerable. The whole of the Asiatic question is still pending, and is the subject of correspondence between the Imperial Government and the local Government. Law 3 of 1885, as both the parties have stated, is only a stopgap to be swept away as soon as possible. Any legislation, therefore, based on that law and amplifying the restrictions is inconsistent with the attitude of openness which the local Governments are bound to maintain. If not, what becomes of Mr. Lyttelton's statement that at least the *status quo ante bellum* would be kept up? Moreover, the prejudices of the town councils and local boards of the Transvaal are very strong on the colour question. They do not hesitate to proclaim them from house-tops, and some of the councils and boards would even go so far as to use violence, if they could. Under the circumstances, whilst there is a position of uncertainty as to the future, it seems strange that the Transvaal Government should bring in legislation as if Law 3 of 1885 were never to be erased from the Statute-book.

Indian Opinion, 22-7-1905

34. A SECRET CONCLAVE

Our contemporary, the *Transvaal Leader*, publishes a message from its Pretoria Correspondent to the effect that His Excellency Sir Arthur Lawley granted a private interview to the leaders of the anti-Asiatic Convention, among whom were present Messrs Loveday and Bourke. The *Leader*'s correspondent also states that the interview was prolonged and that the interviewers left Sir Arthur with complete satisfaction. The curtain is then drawn over what actually took place. Lord Selborne, when he met the Boer leaders and members of the Responsible Association, adopted a different attitude. He invited the Press, and saw to it that the pro-

[1] *Vide* "Letter to Colonial Secretary", pp. 11-2.

ceedings were made public. Why, then, should there be so much secrecy about Asiatic affairs? If the interviewers sought it, does it mean that they are afraid of broad daylight being shed upon their doings and their statements; and if Sir Arthur courted privacy, we respectfully ask what was the motive? Was it that he anticipated the wildest statements from Mr. Loveday and was anxious to hide his shame? British Indians court fullest publicity as to whatever may have to be said against them or for them. They have nothing to fear, exaggerating nothing and minimising nothing, and having absolute justice on their side. Let us, therefore, hope that there may yet be an opportunity given to British Indians in the Transvaal of, at any rate, examining statements made by the interviewers to His Excellency the Lieutenant-Governor behind their backs.

Indian Opinion, 22-7-1905

35. INDIANS IN KRUGERSDORP

The Town Council of Krugersdorp has received the doctor's report after the meeting about Indians was held there.[1] The doctor says that the houses of Indians are found to be mostly unclean; that they spit all around; that their lavatories are very dirty and water collects on the floor and never dries; and that they sit and sleep on the counters, etc. We know that much of this is untrue, and it is now up to the Indians in Krugersdorp to obtain another report to counter all this. Nevertheless, we will have to assent to these accusations to some extent. Nobody can deny that we spit any and everywhere and allow the lavatories to remain dirty. Our people are generally disinclined to cleaning lavatories themselves. We feel it necessary to overcome this. It is an established fact that many diseases spread through lavatories. It is very easy to keep them clean. One should spread dry dust or ashes into the bucket every time after use, wash the wooden planks with a disinfectant liquid and wipe them clean. If done regularly, this does not take much time, and the cause for this antipathy disappears.

The matter of spitting also needs to be thought about. Everything considered, it is very necessary to cultivate the habit of spitting into a handkerchief or a spittoon, instead of all over the house or shop.

[From Gujarati]

Indian Opinion, 22-7-1905

[1] On June 23, 1905

36. *INDIAN HOTELS IN THE TRANSVAAL*

No laws have so far been enacted in respect of Indian hotels in the Transvaal. Licences are taken out for Kaffir eating-houses and European hotels. Chinese hotels came to be opened when the number of Chinese increased in the Transvaal. No licences are necessary for them. But the Chinese, apprehending trouble in the future, applied of their own accord to the Government for licences. The latter replied that no licences were necessary. The Chinese believed that no hotel could be opened without a licence, and, therefore, applied to the Government saying that a licensing law should be enacted. A Bill on the subject has now been published in the *Government Gazette*, which shows how one has to suffer the results of one's actions.[1] The Indian hotel-keepers will now have to take out licences. It is not even possible to oppose the Bill. All Indian innkeepers in the Transvaal should, therefore, take heed. We believe that licences will be granted only if the premises are quite clean.

[From Gujarati]

Indian Opinion, 22-7-1905

37. *JOSEPH MAZZINI*

A Remarkable Career

Italy as a nation came into existence recently. Before 1870 Italy comprised a number of small principalities, each with its petty chief. Before 1870, she was like the India or Kathiawad of today. Though the people spoke the same language and had the same character, they all owed allegiance to different petty states. Today Italy is an independent European country and her people are regarded as a distinct nation. All this can be said to be the achievement of one man. And his name — Joseph Mazzini. Joseph Mazzini was born in Genoa on June 22, 1805. He was a man of such sterling character, so good-natured and so patriotic, that great preparations are being made throughout Europe to commemorate the centenary of his birth. For, although he dedicated his whole life to the service of Italy, he was so broadminded that he could be regarded a citizen of every country. It was his constant yearning that every nation should become great and live in unity.

Even at the early age of thirteen, Mazzini showed great intelligence. In spite of great scholarship that he evidenced, he gave up his books out of patriotism and undertook the study of law, and began using his legal knowledge gratuitously to help the poor. Then he joined a secret organization which was working for the unification of Italy. When the

[1] The original has "what is wrought by the hand hits the heart".

Italian chiefs learnt of this, they put him into prison. While still in prison, he continued to advance his plans for freeing his country. At last he had to leave Italy. He went to Marseilles and lived there. The Italian princes, however, using their influence, had him banished from that city. Though obliged to fly from place to place, he did not lose heart and kept on sending his writings secretly to Italy, which gradually influenced the minds of the people. He suffered a lot in the process. He had to run about in disguise to evade spies. Even his life was frequently in danger, but he did not care.

At last he went to England in 1837. He did not suffer so much there but had to live in extreme poverty. In England he came into contact with the great leaders of that country and sought their aid.

In 1848 Mazzini returned with Garibaldi to Italy, and set up the self-governing State of Italy. But it did not last long, thanks to the activities of crafty persons and though Mazzini had to flee the country once again, his influence did not fade. The seed of unity that he had sown endured and, though Mazzini remained in banishment, Italy became a single united kingdom in 1870. Victor Emmanuel became its king. Mazzini was gratified to see his country thus united. But as he was not permitted to enter the country, he used to go there in disguise. Once when the police went to arrest him, he opened the door for them as if he were an usher and gave them the slip.

This great man died on March, 1873. His foes had now become his friends. People had come to recognise his true worth. Eighty thousand people joined his funeral procession. He was buried at the highest spot in Genoa. Today Italy and the whole of Europe worship this man. In Italy he is considered one of the greatest of men. He was a pious and religious man, ever free from selfishness and pride. Poverty was for him an ornament. The sufferings of others he regarded as his own. There are very few instances in the world where a single man has brought about the uplift of his country by his strength of mind and his extreme devotion during his own lifetime. Such was the unique Mazzini.

[From Gujarati]

Indian Opinion, 22-7-1905

38. IMPORTANT SUGGESTIONS FOR INDIANS GOING TO THE TRANSVAAL[1]

Indians are now-a-days being subjected to very great severity in the matter of permits in the Transvaal. Many persons who were staying on false permits have been deported. Some, whose permits did not bear their thumb-impressions, have been sentenced to imprisonment for six weeks. It is probable that many more persons will be subjected to hardships.

[1] This was published as "From Our Johannesburg Correspondent".

It is also believed that Permit Officers will visit different villages for investigation. It is therefore necessary that those who hold false permits should immediately leave the Transvaal. They should not under any circumstances make use of false permits; otherwise they will have to suffer imprisonment.

So far boys under sixteen and women were allowed to enter without a permit; but since the scrutiny of permits started, greater strictness is being exercised on the border. Boys under sixteen not accompanied by their fathers and women not accompanied by their husbands are being detained for want of permits. A woman proceeding to the Transvaal was made to detrain at Volksrust as she was not accompanied by her husband. Indians entering the Transvaal should therefore bear the following things in mind:

(1) one should not enter with a false permit;
(2) unless accompanied by their husbands, women should not enter without a permit;
(3) boys, even if under sixteen, will be able to enter without a permit only when accompanied by their fathers.

[From Gujarati]

Indian Opinion, 22-7-1905

39. LETTER TO INSURANCE AGENT[1]

[JOHANNESBURG,]
July 25, 1905

TO
THE AGENT
NEW YORK MUTUAL LIFE INSURANCE SOCIETY
JOUBERT STREET
JOHANNESBURG

DEAR SIR,

You may recollect that Messrs Anandlal A. Gandhi and Abhechand A. Gandhi were insured through me. Their policies are numbered, respectively, 3369009 and 3369004. I understand that the premium on these policies has not been paid for some time. Will you kindly let me know if it is possible to revive these policies, and if so under what conditions, and whether, if the holders do not wish to revive them, they can have a refund of any of the premiums already paid?

Yours faithfully,
M. K. GANDHI

Letter Book (1905): No. 771

[1] Gandhiji wrote an exactly similar letter on August 8, 1905, to the Agent at Bombay, most probably under instructions from the Johannesburg office.

40. INDIANS IN KRUGERSDORP

The Krugersdorp Town Council has sent a representation to the Government that a law should be enacted for the compulsory removal of Indians to Locations. The Transvaal Government have replied saying that nothing can be done at present as the matter was still the subject of correspondence between them and the Imperial Government. It appears from this that the controversy between Mr. Lyttelton and Sir Arthur Lawley is still going on. Sir Arthur wants laws enacted that would apply to Indians alone. The outcome is not likely to be known before the next year. Meanwhile, we hope Indians in Krugersdorp will keep their houses clean and tidy.

[From Gujarati]

Indian Opinion, 29-7-1905

41. TRANSVAAL PERMITS

We have already reproduced from the Transvaal *Government Gazette* the list of permits[1] bearing certain numbers that have been cancelled. Some people have interpreted it to mean that even the holders of genuine permits bearing the said numbers have to quit and that their permits are rendered invalid. This is a mistaken view. Those whose permits are genuine and bear their thumb-impressions need not be alarmed at all; their permits are not cancelled, though their names may have been published in the *Government Gazette*. This applies to the registers also.

[From Gujarati]

Indian Opinion, 29-7-1905

42. THE INNER STORY OF THE BALTIC FLEET

Admiral Rozhdzhestvensky's[2] letter addressed to the Czar setting forth all facts about the defeat sustained by the Baltic Fleet makes sad reading. Though the letter is written by a defeated Admiral, no one will take the reasons he has mentioned therein as excuses to explain his defeat. The secret facts, now revealed, clearly show that the crushing defeat sustained by the Fleet was only to be expected. The ablest of the world's naval officers used to say that the Baltic Fleet would teach the Japanese the lesson of their lives. They made this forecast because the men-of-war in the Fleet were gigantic, they were very well equipped with

1 Published in two instalments in *Indian Opinion* issues of July 8 and 15, 1905.

2 Rear-Admiral Rozhdzhestvensky, Commander of the Baltic Fleet

armaments, and could move very swiftly. They carried the best artillery of the latest type, and their admirals were considered very capable. But, as Admiral Rozhdzhestvensky says, the greatness of the Fleet existed on paper only. In his letter to the Czar, he says that, thanks to the corruption in the administration, not only was the building of the ships disgraceful, but they were not in fact properly equipped with the necessary armaments, etc. The guns were incapable of discharging shots as desired; enough coal could not be stored in the hulls; the speed of the ships was falsely praised; the engines always made a creaking noise as if in a ramshackle condition; two-thirds of the sailors were unfit for their jobs; the gunners had no sense of duty; and the worst of it all was that, after leaving Madagascar, all the men on board became rebellious. When such a fleet joins battle, defeat can be the only result. The letter gives a graphic account of what happened after they left Formosa. The Admiral was already aware of this condition of his Fleet; and the fact that he undertook to fight under these circumstances and showed such bravery is sufficient testimony to his loyalty.

[From Gujarati]
Indian Opinion, 29-7-1905

43. INDENTURED INDIANS IN NATAL

Mr. James A. Polkinghorne has issued his yearly report ending 31st December last. As a contemporary states, the report is belated, as are most of the Government reports in Natal; consequently, there is no doubt there is not the same interest taken in them that would be if they were issued promptly. The present report is a document of more than ordinary interest in that it throws a good deal of light on the working of the Immigration Law as to re-indenture and poll-tax. It gives also a more accurate census of the indentured Indian population than hitherto. The information given by the Protector is an "eye-opener". The Indian population has increased very considerably during the past three years. Between 1876 and 1896, it was 31,712, in 1902, it was 78,004, at the end of 1904, it was 87,980, showing an increase in two years of nearly 10,000; and yet the Protector states in another place that he has not been able to supply the full number applied for in 1902, namely, 19,000. The demand for such labour is so great that it has been necessary to refuse fresh applications altogether. The reason for this large increase is obvious. This class of labour is very popular and is daily growing in popularity in the Colony. The men who come out give great satisfaction, and the bread and butter of thousands of Colonists depends very largely upon a steady inflow of indentured labour from India. The moral, too, is obvious. The noise that we find here about the Indian being an undesirable citizen is largely hypocritical or selfish. We had a striking corroboration of the deduction to be made from the above figures in the observations recently

made by His Excellency the Governor of Natal at the time of the opening of the Agricultural Show, when he stated that the Indian agriculturist was indispensable for the development of the coast lands of Natal.

The Protector is very much dissatisfied with the working of the Law as to the poll-tax and re-indenture. He states that the Law is very much evaded, and that it has failed in inducing the time-expired Indian to return to India. Many of those who have remained have succeeded in escaping the poll-tax. Last year, 888 men and 345 women completed their indenture under the new Law. Out of this number, only 137 men and 32 women offered themselves for re-indenture. 201 men and 58 women returned to India, 375 men and 146 women paid the tax, and 170 men and 105 women were at the time of drawing up the report unaccounted for. Nor is this to be wondered at. The poll-tax is never at any time a satisfactory mode of raising revenue. It has not been a deterrent to settlement in the Colony. The framers of the act never expected any such result. It constitutes a source of irritation to the indentured Indian. It levies from them unjustifiable contribution and constitutes a blot on the fair name of Natal. What is more, it is imposed on men whose services are considered, as has been already shown, to be indispensable to the welfare of the Colony.

Indian Opinion, 5-8-1905

44. WHY DID JAPAN WIN?

The reply given by Baron Komura to a question from the Press representatives in New York wanting to know the cause of Japan's victory deserves to be inscribed in one's mind. One reason he gave was that Japan's demand was just; the second was that she was united; there was no corruption either among the officers or the people; every one did his duty; the Japanese were not indolent; they did not shirk work; and they lived in great simplicity. Thanks to this simplicity, they were able to hold their own against the Russians. As their needs by way of clothing and food were few, these could be transported to the soldiers in fewer vehicles. Consequently, it was not very difficult for the Japanese to transport large numbers of men over long distances.

[From Gujarati]

Indian Opinion, 5-8-1905

M. K. GANDHI
ATTORNEY

21-24, Court Chambers,
Corner Rissik & Anderson Streets.
P.O. Box 6522.

201

Johannesburg, 28th July 1908.

My dear Chhaganlal,

I have your letter. An account has been sent to you up to date from which you will find the monies received regarding the earthquake fund. You will notice also there are some monies received for the Durban flood Fund from Miss Neufliess, which you may hand to Mr. Omar. Continuing sheets have been received, so also the scribbling blocks. I did not quite understand your reference to supervision. You should send me concrete instances, and I would understand the working much better. I should also like to know ~~whether~~ where loss has been incurred or sustained. Dahya Jogi's money has been received the amount is £1-2-6. I know the matter was sent late. I am now sending you as much as possible to-day. Balance, if any, will be sent to-morrow. West writes to me saying that Maganlal should leave about September returning by December, telling me also that such is your opinion. If it is possible to manage without Maganlal I have no objection. How are Kaba and Anandlal doing? Is Pillay now completely cured? Did Maganlal receive the Tamil books?, Has he commenced the study?

Yours sincerely,

C.K. Gandhi Esq.,
c/o International Printing Press.
PHOENIX.

6 : 8 5

Dear Miss Briscoe,

I am very sorry for your troubles. I am afraid it would not be now possible [illegible] all the things mentioned by you, as they were included in the sale, as I understand from the trustee. The sale has realized only £210— as a forcing measure, I [illegible]. Brown Bros have bought the business.

I am sorry I shall not be able to help you in [illegible] as I told sister Helen [illegible]

Yours truly,
[illegible]

Miss Briscoe
c/o Box 4207

45. LETTER TO DADA OSMAN

[JOHANNESBURG,]
August 5, 1905

DEAR SHETH DADA OSMAN,

Your letter to hand. I am sending you a copy of the letter written to Mr. Wylie, giving all the details. I have not so far debited you for any fees after you gave me a cheque in the matter of your licence. Please let me know whether I should do so or not.

It is good that you procured advertisements. Did you take the cheques or not?

Send me, from the office, Mr. Labistour's opinion and other papers.

Salaams from
M. K. GANDHI

MR. DADA OSMAN
Box 88
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 871

46. LETTER TO MISS BISSICKS[1]

[JOHANNESBURG,]
August 5, 1905

DEAR MISS BISSICKS,

I am very sorry for your troubles. I am afraid it would not now be possible to recall the things mentioned by you, as they are included in the sale, as I understand from the Trustee. The sale has realized only £210-0-0 as a going concern. I understand Brown Bros. have bought the business.

I am sorry I shall not be able to cycle to you on Monday as I told Sister Heliel I might do.

Yours truly,
M. K. GANDHI

Miss Bissicks
c/o Box 4207

Letter Book (1905): No. 872

[1] "An enterprising theosophist", who ran a vegetarian restaurant. On being approached for help to expand business. Gandhiji loaned her a thousand pounds belonging to one of his clients with the latter's consent. The amount, however, was never repaid and Gandhiji made good the loss. *Vide Autobiography*, Part IV, Chapter VI.

47. LETTER TO OMAR HAJI AMOD

[JOHANNESBURG,]
August 5, 1905

DEAR SHETH OMAR HAJI AMOD,

Your letter to hand. I am glad to know that you have secured advertisements in Maritzburg.

I am sure you have visited Phœnix. Please do so regularly. You should see that your sleep is not disturbed.

Salaams from
M. K. GANDHI

OMAR HAJI AMOD, ESQ.
Box [441]
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 874

48. LETTER TO ABDUL HUK AND KAIKHUSHROO

[JOHANNESBURG,]
August 5, 1905

MY DEAR ABDUL HUK AND KAIKHUSHROO,

Your letter to hand. I am returning herewith Mr. Rustomji's letter. I shall write to him. It is possible to interpret the matter concerning rent the way you do. But you need not worry about it. It will suffice if you take adequate care to see that the house does not remain vacant. I have not yet done with Azam Moosa Hussain's power [of attorney]. You had under-stamped the letter.

Salaams from
M. K. GANDHI

Encl: 1

MESSRS JALBHAI SORABJI BROS.
110 FIELD STREET
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 876

49. LETTER TO CHIEF SECRETARY FOR PERMITS

[JOHANNESBURG,]
August 8, 1905

TO
THE CHIEF SECRETARY FOR PERMITS
P. O. BOX 1199
JOHANNESBURG

SIR,

Re: Abdul Cadir's[1] Duplicate Permit

With reference to your letter of the 14th ultimo, No. 650, I note that you have now examined my client's thumb-impression and traced his permit and registration.

I venture to submit that in all such cases the issuing of a duplicate permit or some certificate is necessary in order to enable the registered residents to return without difficulty. My client is about to proceed to India, and I shall, therefore, be obliged if you will kindly let him have a certificate. There can be no question of fraud as the thumb-impression on the certificate you may issue would prevent its use by any one else.

I have the honour to remain,
Sir,
Your obedient servant,
M. K. GANDHI

Letter Book (1905): No. 889

50. LETTER TO ABDUL HUK

[JOHANNESBURG,]
August 8, 1905

MY DEAR ABDUL HUK,

Parsee Cowasji writes that you will stand guarantee for him for one year if a loan of £50 is advanced to him. I believe you know what instructions Rustomji Sheth has left. If you deem it proper that the amount be debited to your account and paid to Parsee Cowasji, do let me know, so that I may write to Omar Sheth to make out a cheque for that amount.

[1] President, Natal Indian Congress, 1899-1901

Let me know the monthly rental received at present.

Salaams from
M. K. GANDHI

ABDUL HUK, ESQ.
C/O MESSRS JALBHAI SORABJI BROS.
110 FIELD STREET
DURBAN

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 890

51. LETTER TO TAYOB HAJI KHAN MAHOMED

[JOHANNESBURG,]
August 8, 1905

DEAR SHETH SHRI TAYOB HAJI KHAN MAHOMED,

I have sent a reply as per copy enclosed in regard to your claim.[1] I am sorry I do not think there is anything more to be written to Lord Selborne. The fight is to be put up in England or here if Tayob Sheth comes here.

Salaams from
M. K. GANDHI

Encl:

MESSRS TAYOB HAJI KHAN MAHOMED & CO.
BOX 357
PRETORIA

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 900

52. LETTER TO HAJI HABIB[2]

[JOHANNESBURG,]
August 9, 1905

DEAR SHETH SHRI HAJI HABIB,

I have received your letter regarding Karodia. I have sent the notice.

Salaams from
M. K. GANDHI

[PS.]

I went to Pretoria last night on business. Since I returned by the 7.30 train in the morning, I could not see you, for which please excuse me. I have sent word through Mr. Kallenbach.[3]

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 907

1 Relates to war losses.

2 Secretary, British Indian Committee, Pretoria

3 Herman Kallenbach, a wealthy German architect introduced to Gandhiji by Mr. Khan who had discovered in him a vein of other-worldliness; became a friend of Gandhiji and an associate in his experiments in simple living; courted arrest during the Passive Resistance Movement in South Africa. *Vide Satyagraha in South Africa*, Chapters XXIII, XXXIII to XXXV.

53. LETTER TO ABDUL KADIR

[JOHANNESBURG,]
August 10, 1905

DEAR MR. ABDUL KADIR,

I have not had the time up till now to write to you. Before coming to business, I wish to write to thank Mrs. Abdul Kadir for the sandwiches that she sent to me. What was asked for in jest came in very handy. As you know, Mr. Omar and Mr. Dada Osman were with me, and we all made our evening meal of them. Then again, there was an accident. An engine had been derailed, and at midnight all the passengers had to change trains. The result was that from midnight the train was running three hours late. The meals were not, therefore, provided at the usual stations, and the sandwiches were appreciated under those circumstances, not only by me, but by my other companions in the train, who, although Europeans, liked them very much. So tasty they were. The basket, therefore, before it reached Johannesburg, was half empty. Once more, then, I thank Mrs. Abdul Kadir for her kindness.

Mr. Abdul Gani[1] has shown me the guarantee taken by the bank. I think it is totally uncalled for. In my opinion the deed of dissolution does not in the slightest degree affect the bank's security. I do not understand the reason for altering the bond. However, seeing that all the transfers have to be newly made, it does not much matter. I hope you will hurry the matter forward. There should be no difficulty about taking out Mr. Mahomed Ebrahim's name, because even if he does not consent, the order of court will be quite enough. I understand that it is the desire of all parties to advertise the dissolution in the *Gazette*. I think it is as well. I, therefore, send a draft advertisement[2]. If you approve of it, it can be signed by all the five partners and advertised in the *Gazette* there, the *Gazette* here, and a daily newspaper there and a daily newspaper here. I enclose also draft letter[3] to be written to your London agents.

I was pleased beyond measure at the extreme prudence and calmness with which you approached the conferences we had there, and it is my earnest hope and prayer that both the businesses may flourish and that all of you may remain in perfect harmony. I would also ask you to be extremely cautious about your undertakings, though in the long run the future of South Africa is assured. We will have to go through yet worse times, and those who realize this fact will come out best in the end. I

[1] Chairman, British Indian Association
[2] and [3] Not available

have no doubt that there is a great deal of business to be done, but a very large measure of circumspection is necessary.

I am,
Yours truly,
M. K. GANDHI

MR. ABDUL KADIR
c/o MESSRS M. O. CAMOROODEEN & CO.
P. O. Box 186
DURBAN

Letter Book (1905): No. 912

54. LETTER TO MESSRS PEARKS LTD.

[JOHANNESBURG,]
August 11, 1905

MESSRS PEARKS LTD.
P. O. Box 2789
JOHANNESBURG

DEAR SIRS,

Re: Jagannath

In this matter the case was heard this morning. Two witnesses gave evidence to the effect that 1 lb. of butter was asked for and a pat, like the one shown by Mr. Levy to me, was given to the inspector, and after the money had passed, the inspector weighed the pat, and while he was weighing, the accused pointed to the inscription on the pat. This was clearly an offence under the law, but the Magistrate held that the accused was quite innocent in the matter and, therefore, imposed a penalty of £1 only. This was the best I could do under the circumstances. It seems that there was a similar case last week in Court. It also came out in the evidence that the inscription on the pat sold was very illegible. Unless, therefore, there is a very much bolder inscription written on all sides of the label, I am afraid that the retailers would run the risk of being fined and fined very heavily because the ordinary penalty is £20 for selling pats of the above description to a customer to a demand for 1 lb. weight. I, therefore, [think that there] should be better inscription, or that all your customers should be told that each time they sell these pats, they should say that the weight is not guaranteed in any way.

I debit you with £3/3/- in the matter.

Yours faithfully,
M. K. GANDHI

Letter Book (1905): No. 922

55. FALLING INTO LINE

Thanks to the action of the Rand Pioneers, the Church Council of Johannesburg has awakened to a sense of their duty. A deputation representing the Council has waited on Lord Selborne on the question of the Native land tenure in the Transvaal to urge upon His Excellency the desirability of not tampering with the rights of the Natives as they existed before the war. The Attorney-General of the Transvaal has shown how the Native was free to own land in the Transvaal before the war. He was able even to cite an instance when the late President Kruger[1] informed certain petitioners, who wanted to curtail the rights of the Natives regarding land, that he could not comply with their request. It is true that the Natives were not, in practice, allowed to have their titles registered in their own names, but as the Attorney-General has clearly shewn, the registration of a Native title in the name of the Commissioner for Native Affairs did not clothe that official with any discretionary power. He was bound to take transfer in his name in trust for a Native and was equally bound to take in any other Native as a *cestui que trust* at the instance of the original holder. In reply to the clamour of the anti-Native agitators led by Sir George Farrar,[2] Sir Richard Solomon has, much against his own inclinations, promised to introduce legislation to legalise the practice of registration of Native titles in favour of the Commissioner for Native Affairs. Against this, the Rand Pioneers have again commenced an agitation. They insist on the Native Commissioner having the power to refuse to act as trustee. If the request were granted, it would undoubtedly take away from the right of the Native to hold land as it existed before the war.

It is against agitation of this nature that the Church Council has raised its voice. The deputation led by Mr. Hosken made it clear to Lord Selborne that the treatment the Coloured races have been receiving in the Transvaal since British occupation is worse than before. He and his fellow-members also showed that the war was justified in the opinion of many because they considered it a war of emancipation. The Rev. Mr. Philips said that he went at his own expense to England to preach the crusade because he could not bear the hardships that were inflicted under the Boer regime on the Coloured races. But the reverend gentleman now found that these races were no better off under the British rule.

Lord Selborne's reply was as was to be expected. He had not sufficiently studied the question. He could not, therefore, pronounce an opinion. But His Excellency added:

> If in any respect the British administration is unjust to the Native,

[1] Stephanus Johannes Paulus Kruger, (1825-1904), Boer leader, President of the Transvaal, 1883-1900

[2] A nominated member of the Legislative Council of the Transvaal.

civilised or uncivilised, it is a blot and a stain on our administration, and one which I feel personally as an implication of disgrace.

These are the words spoken by one who is the ruler of the Transvaal. May His Excellency have sufficient courage and strength to initiate the policy he has thus boldly enunciated!

The interview is not without significance for the British Indians. What the deputation submitted to His Excellency applies equally to them. And the policy laid down by Lord Selborne is the policy applicable to all British subjects. It is a matter for congratulation that in Lord Selborne the Transvaal has a Governor and South Africa a High Commissioner who is determined to hold the scales evenly between conflicting interests.

Indian Opinion, 12-8-1905

56. *THE NEW LAWS OF NATAL*

The proposal of the Natal Parliament to enact laws on Locations and the levy of a tax on land has miscarried owing to the rejection by the Legislative Council of both these Bills, along with the Bill to levy a tax on the Kaffirs. Therefore, for the time being at least, our apprehensions about Locations have been allayed. Though we cannot say that these Bills have been thrown out because of our petition, there is no doubt that it has had some effect. The lesson we have to learn from this is that any efforts that we might make are bound to bring some measure of success.

[From Gujarati]
Indian Opinion, 12-8-1905

57. *NATIVES' RIGHTS TO HOLD LAND IN THE TRANSVAAL*

The Supreme Court of the Transvaal has always given the benefit of the law to Coloured persons that is, it metes out even-handed justice without fear of the whites, regarding them and Coloured persons equal in the eyes of the law. There is in Roodepoort a church belonging to the Kaffirs. In deciding an application to transfer it to the names of its trustees, the High Court[1] has ruled that land can in that way be transferred to the name of a Native; the law does not prohibit such transfer of land. It appears from this case that the mosques situated in Pretoria, Heidelburg and other places can be registered in the name of their trustees. This question deserves to be considered by the communities of Pretoria and other places.

[From Gujarati]
Indian Opinion, 12-8-1905

[1] "High Court" seems to be a slip for "Supreme Court".

58. TREATY BETWEEN ENGLAND AND JAPAN

As the time for reviewing the treaty between England and Japan draws near, it is being discussed in English political circles. A peace treaty, to hold good for five years, was signed between the two countries on January 30, 1902. But, if by the end of the fourth year, no notice to terminate the treaty was given by either party, the treaty would continue to be in force even beyond the five years, and thereafter the party desiring to end the treaty would have to give a year's notice. Moreover, if at the end of the treaty period either of the parties was engaged in war, the treaty would remain effective till peace was restored.

Moreover, if either party had to go to war against a third power, the other contracting party should strive to prevent any other power from joining it. And if any such power rendered help to the party opposing either of the signatories to the treaty, the other signatory should rush to the help of the former.

If, therefore, a notice in accordance with the above terms to end the treaty is not served by either party by January 30, next year, it will remain operative beyond five years. If on the contrary such a notice is served in the meanwhile and Japan's war with Russia continues, the treaty would remain in force till the end of the war, even if the period of the treaty as originally stipulated had come to an end.

This treaty has proved very advantageous to both England and Japan. As a matter of fact, the whole world can be said to have benefited from it. For, if a third power had entered the war to help Russia, England would have been obliged to go to the aid of Japan, and this would have obviously disturbed world peace. There is, therefore, every reason to hope that this treaty will continue further.

[From Gujarati]

Indian Opinion, 12-8-1905

59. LETTER TO TAYOB HAJI KHAN MAHOMED & CO.

[JOHANNESBURG,]
August 12, 1905

SHETH SHRI TAYOB HAJI KHAN MAHOMED & CO.,

I am in receipt of your letter. It is no longer possible to write to the High Commissioner. The only thing that remains to be done is to proceed to England. Or it may be possible if some trouble occurs here again. Please meet the Mayor of your place and find out what he has to say in the matter. I cannot advise you to write to England immediately; for, if Tayob Sheth comes here, the real fight will have to be put up here.

With each passing day, it will become more and more difficult. It will be better if you send a cable as follows:

> High Commissioner declines interfere claim. Strongly advise you come.

Tayob Sheth will not require a permit, so you have not to worry about that.

Salaams from
M. K. GANDHI

MESSRS TAYOB HAJI KHAN MAHOMED & CO.
BOX 357
PRETORIA

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 934

60. LETTER TO HAJI HABIB

[JOHANNESBURG,]
August 14, 1905

DEAR MR. SECRETARY,

Your letters remind me of the speeches[1] I delivered. I had promised to send you the dates of *The Star* issues. The four lectures have appeared in *The Star* issues, dated March 10, 18 and 29. I am ready to send those speeches to any place and invite comments. I have read over these lectures in English again and I must say that there is not a single hard word about any religion.

I have expressed appreciation of every religion and pointed out the distinctive merit of each. There was not the least intention even in my dream of hurting anybody. Nevertheless, some people have been offended, for which I am really sorry. And I would like to assuage their minds, if I can do so somehow or the other. If you want any further explanation, please do write to me.

Salaams from
M. K. GANDHI

HAJI HABIB
BOX 57
PRETORIA

From the Gujarati in Gandhiji's hand: Letter Book (1905): No. 950

[1] A series of four lectures on Hindu Religion. *Vide* Vol. IV, pp. 368, 375 and 405.

61. LETTER TO CHIEF SECRETARY FOR PERMITS

[JOHANNESBURG,]
August 15, 1905

TO
THE CHIEF SECRETARY FOR PERMITS
P. O. Box 1199
JOHANNESBURG

SIR,

I send the bearer, John Soukal, for his permit and registration. The documents in his possession, in my humble opinion, show conclusively that the bearer was in the Colony on the 31st day of May 1902 and has been ever since. The details that he gives with reference to his registration show, I think also, that he must have been registered under the Boer Government. A man of his class certainly could not escape registration, especially living in the country for such a long time as the bearer undoubtedly seems to have done. He tells me that he has no acquaintances in Johannesburg at present who could certify to his having taken out the registration under the Boer Government. The man seems to me to be very poor. I, therefore, trust that you will be pleased to issue him the permit, as also fresh registration, notwithstanding the fact that as usual he is not in a position to produce affidavits regarding previous payment of £3. The case seems to me to be perfectly *bona fide* and deserving of consideration.

I have the honour to remain,
Sir,
Your obedient servant,
M. K. GANDHI

Letter Book (1905): No. 971

62. LETTER TO ABDUL REHMAN

[JOHANNESBURG,]
August 16, 1905

TO
MR. ABDUL REHMAN
P. O. Box 12
POTCHEFSTROOM

DEAR SIR,

I have to thank you very much for assisting Mr. Kalyandas[1] in connection with the subscriptions for *Indian Opinion*. You mentioned to me

[1] Kalyandas Jagmohandas Mehta, who accompanied Gandhiji to South Africa in 1903 and stayed with him for about five years. He did much work during the plague in Johannesburg in 1904.

about insurance of stock in Potchefstroom. There is a Company who would insure such stock provided the buildings are nice and suitable, I think at £7-6. If there are any who want their stock to be insured, please let me know.

Yours truly,
M. K. GANDHI

Letter Book (1905): No. 981

63. WILL INDIA WAKE UP?

Lord Curzon has long been considering the partitioning of Bengal into two parts and merging one of them in Assam. In justification of the proposed measure, it is argued that Bengal is too large for one Governor to administer. As against this, it is pointed out that Assam is a small province with a very small population and, that it adjoins Bengal. It is therefore the intention of His Excellency the Governor-General to merge a part of Bengal in Assam. On the other side, the people of Bengal argue that the Bengalis are quite distinct from the Assamese; they are highly educated, and they have been living together for generations. It would therefore be an act of grave injustice to separate and thus weaken them and tag large numbers of them on to Assam. A lot of discussion has already taken place over this matter, and a few days ago Mr. Brodrick declared that he had approved Lord Curzon's proposal. Since this news reached India, meetings have been held in almost every village of Bengal. People of all communities have been participating in them. Even Chinese merchants seem to have taken part. These meetings are said to have been so impressive that long telegraphic reports have reached far-off South Africa. Resolutions challenging the Government were, for the first time it would appear, moved at these meetings. It appears to have been suggested in the course of the speeches that, if the Government did not take heed, Indian merchants should stop all trade with Great Britain. We must admit that our people have learnt these tactics from China. But if the people really act accordingly, there would be nothing surprising if our troubles came to a speedy end. For, if this is done, Great Britain will be put to great loss; and the Government can have no means of dealing with it. They cannot compel the people to carry on trade. The method is very straight and simple. But will our people in Bengal maintain the requisite unity? Will the merchants suffer for the good of the country? If we can answer both these questions in the affirmative, India can be said to have truly woken up.

[From Gujarati]
Indian Opinion, 19-8-1905

64. SIR MANCHERJI AND MR. LYTTELTON

Last year, the Legislative Council passed a resolution requesting Mr. Lyttelton to appoint a commission to go into the grievances of the Indians in the Transvaal. Sir Mancherji had written saying that he approved of the idea of appointing a commission. A question was again asked about this [in Parliament] by that honourable gentleman, to which Mr. Lyttelton replied that the matter was still under discussion. From this it appears that the Transvaal Government is still carrying on a controversy with Mr. Lyttelton and that there is no agreement between them. Mr. Lyttelton wants that immigration laws should be enacted on the lines of those in Natal while Sir Arthur Lawley wants those laws which would apply to Indians alone.

[From Gujarati]
Indian Opinion, 19-8-1905

65. ELIZABETH FRY[1]

There are many reasons why the British should be ruling over us and why we are in such a deplorable condition. One of the reasons is that in modern times the British seem to have produced a larger number than we of brave and pious men and women of high principles. Nevertheless we believe that we are bound to benefit from a knowledge and constant contemplation of the lives of such devout men and women, and we therefore propose to give the stories of their lives from time to time. We hope that the readers of this journal will read their lives and follow them in practice and thus encourage us. We have suggested earlier that each one of our subscribers should maintain a file of *Indian Opinion*. We remind them of it on this occasion.

Mrs. Elizabeth Fry lived in England a century ago. She was a very religious-minded lady and it was her constant concern to help mitigate the sufferings of man. Though herself a chronic invalid she did not care; she was not to be daunted by personal suffering. There is a prison called the Newgate Prison in England where, a hundred years ago, men and women prisoners were huddled together somehow and lived quite uncared for. They were in an extremely bad state. Crime among them, instead of diminishing, was on the increase. Their life was more like that of cattle. Consequently, the condition of Newgate prisoners who were released after their sentences became very pitiable. This misery, the

[1] Elizabeth Fry, (1780-1845), belonged to the Society of Friends. She was a pioneer of prison reform.

good Elizabeth could not bear to see. Her heart was deeply grieved, and she dedicated her life to the amelioration of their condition. Having obtained permission of the authorities, she began helping, in particular, the women prisoners, whom she used to comfort. But she did not stop here. By her writings and personal effort she got a number of reforms introduced through the authorities. As a result of her efforts the condition of prisoners improved much. But this she considered quite inadequate. In those days, prisoners used to be deported to Australia. They were subjected to great harassment while on board ships. Even the honour of women prisoners was not safe. Elizabeth saw that all her good work was being undone on board the ships while the prisoners were being thus transported. To remedy this evil, she visited the ships at great personal inconvenience. At last she succeeded in putting an end to the sufferings of prisoners on the ships. Further, she effected some improvement in the miserable condition of the prisoners in Australia; and a law was accordingly passed to the effect that prisoners, on reaching Australia, were to be passed on to others for service after being trained there for six months. While thus sharing in the sufferings of many unfortunate persons, this good lady forgot her own suffering, and breathed her last, praying to God.

[From Gujarati]

Indian Opinion, 19-8-1905

66. THE BRITISH ASSOCIATION[1]: A SUGGESTION

South Africa has had the unique honour of welcoming on its own soil this body of illustrious scientists. The British Association for the Advancement of Science is an institution of which the Empire may well feel proud. It was a happy idea that prompted the South African Association to invite their prototype to visit this sub-continent. The results are likely to be far-reaching. Not only will something be done for the main object of the Association—viz., the popularisation of science—but the visit will help to secure a more important result in drawing together South Africa and Britain, and the Colonies with one another. This is the third time that the Association has met outside the British Isles; and, in view of the importance of these visits and the cordiality with which the members have been received, it is not likely to be the last. We look forward to the day when the Association will meet in India. Such a visit would, we believe, be greatly to the advantage not only of India, but the Association itself.

We venture to make one humble suggestion. We have said that these external visits will do much to draw together the widely separated portions of the King's dominions; and in order that the Association may be

[1] Founded in 1831.

everywhere recognised for what it really is — namely, one of the very greatest assets of the Empire—we would like to see the title amended to "THE BRITISH EMPIRE ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE".

Indian Opinion, 26-8-1905

67. LORD CURZON

The inevitable has happened and Lord Curzon is no more an Indian Viceroy. It is an irony of fate that when he seemed to be irremovable, he had to go under circumstances the most humiliating. A Viceroy to whom prestige was everything and who relied greatly on it for success in many things he undertook has been obliged to leave India without a vestige of it remaining. That such a fate should be brought about by the discredit of a War Minister adds point to the degradation Lord Curzon has had to undergo. It would almost appear to be an answer to the prayer of the suffering millions who were groaning under his autocratic rule.

We think that, in all he did, Lord Curzon was actuated by good intentions. He undoubtedly believed that he was doing good to the people of India in spite of themselves, in forcing down their throats what he was pleased to term reforms. No Viceroy excited on the threshold of his career the expectations that Lord Curzon did. His speeches led the Indians to believe that he would out-Ripon Ripon[1] in his treatment of Indian problems. In his minute on the behaviour of the British soldiers, he even translated his promises into deeds. His reduction of the salt tax and his advocacy of the cause of British Indians in South Africa will always stand to his credit. But when full allowance has been made for these things, the net result is such that he has succeeded in earning the dislike of the people at the end of his career, in the same measure that he began with their goodwill. Even though the cause of his resignation is unfortunate in that it betokens the triumph of military autocracy over civilian rule, we can quite imagine that today in thousands of Indian homes there must be a time of joy and thanksgiving for what will be considered, not without reason, a good deliverance.

The career of Lord Curzon makes it very risky to base any expectations upon the new Viceroy; and it would be perhaps far safer to expect nothing if we would be blessed; but in Lord Minto, the Viceroy-designate, India will have a nobleman not unknown to it, as he belongs to an illustrious family which has already given a Viceroy to India. His Colonial experience may be of inestimable advantage in Indian administration; and, if the traditions of Colonial Governorship, which are always strictly constitutional, are kept up in India, that portion of King Edward's Empire may look forward to a peaceful and sympathetic rule for the next five years. Heaven grant that it may be so. Famine once

[1] (1827-1909), Viceroy and Governor-General of India, 1880-4, and Secretary of State for the Colonies, 1892-5

again threatens to overtake the land; plague still continues to exact its toll; poverty daily undermines millions of families: only broadest sympathy and kindliness to the governed can help them in this dreadful trinity of evils.

Indian Opinion, 26-8-1905

68. PROFESSOR PARMANAND

Professor Parmanand, the distinguished scholar from the Anglo-Vedic College, has been in our midst now for a few weeks. He has delivered interesting discourses to crowded audiences. His mission seems to be to advance the teachings of the Arya Samaj, which is a body that has done most useful and practical work, apart from its religious doctrines. It has produced earnest patriots, a band of self-sacrificing teachers, and it has also done noble work in connection with the terrible earthquake that took place in India a few months back. The Professor who belongs to such a body of workers has a right to expect a warm welcome from Indians in South Africa. Indeed, we cannot have in our midst too many Indians of attainments and culture.

The question, however, remains as to what we shall make of such men and what they will make of us. We confess that we are not yet ripe for a vigorous missionary enterprise on religious lines. The soil is hardly ready for such work. Not that each religion may not have its own exponent and custodian. The Arya Samaj does not represent any established orthodox religion of India. It takes nothing away from its credit when we mention that it is still a cult struggling for existence and catering for converts. It represents a reformation of Hinduism. We feel that Indians in South Africa are not ready to receive any doctrines of reformation. The needs of the Indians, so far as internal work is concerned, consist of education and as much of it of the right kind as can be had. We have always admitted that there is room for improvement in the Indian household. This is not to be attained without education of the hundreds of Indian youths who are almost totally neglected in this sub-continent. The best thing we venture to think that Professor Parmanand can do is to turn his attention to this phase of the question. It is a most practical and effective mode of exhibiting the strength, the purity and the usefulness of the Samaj he represents. We believe that to sufficiently educate Indian children in South Africa through paid teachers is well-nigh impossible. We want teachers of the highest qualifications, experience and culture even for primary education.

We venture to present these views to Professor Parmanand, and through him to the Arya Samaj and other like bodies in India, no matter of what denomination or religion, for their earnest consideration.

Indian Opinion, 26-8-1905

69. *THE WORLD'S RELIGION*[1]

The time has now passed when the followers of one religion can stand and say, ours is the only true religion and all others are false. The growing spirit of toleration towards all religions is a happy augury of the future. An article appeared recently in the columns of *The Christian World*, a London religious weekly, over the signature of "J.B.", one of that journal's regular contributors, on this question, extracts from which I intend to quote.

The writer, in a most liberal and generous spirit, reviews the question from the Christian standpoint, and shews how the world's religions are linked one with the other, each having characteristics common to all others. The appearance of such an article in the Christian Press is worth noting, and shews that it is moving with the times. A few years back, such an article would have been classed as heretical teaching, and its author denounced as a traitor to the cause.

After remarking upon the new spirit which was changing the attitude of Christians to other religions, and pointing out how, a few years ago, the idea prevailed of the Christian religion standing out [as] the only true religion amongst a multitude of false ones, he goes on to say:

> There has been an immense revulsion, and one of the features of it is the discovery, so vastly surprising to the average man, that the doctrine he was brought up on was not the earlier Christian teaching at all. The noblest of the old apologists thought very differently, he finds, of the outside races and faiths, from what he had been led to imagine. He hears of Justin Martyr, standing so close to the apostolic age, who regards the wisdom of Socrates as inspired by the 'Word'; of Origen, and Gregory of Nyssa, whose teaching is of the entire race of man as under the Divine tutorship; of Lactantius maintaining that belief in Providence was the common property of all religions...
>
> ...The finer Christian minds have, in fact, in every age gone more or less along this line. It needed only that men should come into contact with these outside races, whether in their literature or face to face, to realise at once that the 'impassable gulf' theory between one religion and another was false to life and to the soul...
>
> ...Religion, by a hundred different names and forms, has been dropping the one seed into the human heart, opening the one truth as the mind was able to receive it.

"J.B." points out that many of the Christian institutions and doctrines were born of the knowledge of other religions. Many of the symbols are relics of ancient days.

> How marvellous, too, in this connection, is that ancient cult of Mithras in Persia, where, as M. Cumont says: 'Like the Christians, the followers of Mithras lived in closely united societies, calling one another father and brother; like the Christians, they practised baptism, communion and confirmation; taught an authoritative morality, preached continence, chastity and self-denial, believed in the immortality of the soul and the resurrection of the dead'.

[1] This was published as "Specially Contributed".

It is not surprising that the writer should claim for the Christian religion the premier position, but it is gratifying to find such a broadminded attitude taken up by Christian writers and the Christian Press.

To Europeans and Indians working together for the common good, this has a special significance. India, with its ancient religions, has much to give, and the bond of unity between us can best be fostered by a wholehearted sympathy and appreciation of each other's form of religion. A greater toleration on this important question would mean a wider charity in our everyday relations, and the existing misunderstandings would be swept away. Is it not also a fact that between Mahomedan and Hindu there is a great need for this toleration? Sometimes one is inclined to think it is even greater than between East and West. Let not strife and tumult destroy the harmony between Indians themselves. A house divided against itself must fall, so let me urge the necessity for perfect unity and brotherliness between all sections of the Indian community.

Indian Opinion, 26-8-1905

70. RUSSIA'S NEW CONSTITUTION

The Czar of Russia has given effect to his promise to his people regarding the introduction of a constitution based on the elective principle. From the cables received in South Africa regarding its clauses, it appears that it resembles very little the more democratic constitutions of modern times, which give wider powers to the people. It is also very doubtful if even this constitution will be given full effect to. Under this constitution the power of making laws is apparently vested in an elected body. Despite all these terms and clauses, however, the Czar has kept his sovereign authority intact. This has given the constitution a strange appearance. It makes imperative the assent of the Czar to whatever laws are passed by the elected National Council. Nobody believes that this Council will be able to exercise any check on the Czar's power. Nevertheless, it cannot be denied that the new constitution is a step which will enable the people to make greater efforts in the future.

[From Gujarati]

Indian Opinion, 26-8-1905

71. ABRAHAM LINCOLN

Last week we gave a life-sketch of Elizabeth Fry. This time we give an account of the life of a former American President.

It is believed that the greatest and the noblest man of the last century was Abraham Lincoln. He was born in America in 1809 of very poor parents. He received very little education until he was fifteen

years old. He could hardly read or write and earned his meagre living, wandering from place to place.

At last he thought of bettering his lot. There being no steamers or other means of transport in those days, he voyaged through the big rivers on a country raft made of wooden planks and visited the various towns in America. At one place he got the job of a shop assistant. He was then twenty years old. Once he had a job it occurred to him that he might study further. Thereupon, he bought a few books and began to study them by himself. Meanwhile one of his relatives thought that Abraham might be able to do better if he studied law; and he apprenticed him to a lawyer, with whom Abraham worked with great diligence and studied books. He showed such ability that his superiors were much pleased with him. He too felt that he was now in a position to serve the people among whom he was born. No sooner had the thought occurred to him than he decided, in accordance with American practice, to stand for election to the Senate. His first pamphlet fully revealed his special qualities. He put up a strong fight; but he met with defeat as he was yet an unknown man, while his opponent was well known. But the defeat only whetted his zeal.

His fervour became more intense. Only a person who has a clear picture in his mind of the America of those days, can properly appreciate Lincoln's virtues and his services. From north to south, America was at this time a camp of slaves. Nobody saw anything wrong in openly selling Negroes and keeping them in slavery. The high and the low, the rich and the poor saw nothing strange in owning slaves. No one thought it was wrong to do so. Religious minded men, priests and the like saw nothing amiss and did not protest against the system of slavery being kept up. Some even encouraged it, and all of them thought that slavery also was a divine dispensation and that the Negroes were born to it. Few could then see that the slave trade was very wicked and irreligious. And even those who did, preferred to remain silent, being unable to assert themselves. There were some who were content to play a minor role in the amelioration of the condition of slaves. Even today our hair stands on end to hear the accounts of the atrocities inflicted on slaves. They were tied up and beaten; they were forced to work, they were branded and handcuffed. And all this was not done just to one person but to all of them. It may be said without fear of contradiction that Lincoln alone, of all men, made and put into execution his resolution to change the ideas of men, ideas which were indelibly carved on their minds, to wage war against those hundreds of thousands of men who depended for their living on the system and to set free the slaves from bondage. He was so tender by nature, his faith in God was so great, and his compassion so deep that he began to convert the minds of men through his speeches and writings as well as by the example of his own life. Eventually there came into existence two parties in America: one headed by Lincoln, another by his opponents; and a big civil war broke out;

but Lincoln remained undaunted. By this time he had risen so high up the ladder that he was already the President. The war went on for many years, but Lincoln abolished slavery from the whole of North America by 1858-9. The bonds of the slaves were broken, and wherever Lincoln's name was mentioned, he was hailed as a great emancipator of men in distress. The language of the powerful speeches he delivered during these stormy days is so sublime that they rank very high in English literature.

Although he had achieved such eminence Lincoln remained full of humility. He always believed that a powerful nation or individual ought to use that power to remove the miseries of the poor and the weak, not to crush them. Though America was his motherland and he was an American, he regarded the whole world as his native land. Just when he was at the height of his glory, and despite the fact that he was such a good man, some wicked men felt that he had ruined many people by abolishing slavery. So when it was known for certain that Lincoln was going to visit a theatre, a plot was hatched to assassinate him. Even the players at the theatre had been seduced, and a leading actor had undertaken to shoot him. As Lincoln was sitting in his special box, the despicable fellow entered it, closed the door after him and shot at Lincoln. The good man fell dead. The people who witnessed this dreadful deed tore the assassin to pieces before he could be taken to a law court.[1] In this tragic manner occurred the death of the greatest President of America. It may safely be said that Lincoln sacrificed his life in order to put an end to the sufferings of others. But Lincoln can be said to be still alive; for the changes he made in the American Constitution are still in force. And Lincoln's name will be known as long as America endures. It will thus be seen that Lincoln has become immortal, for his greatness consisted not in his talent or his wealth, but in his innate goodness. A nation that has such good qualities as Lincoln's is bound to rise.

[From Gujarati]

Indian Opinion, 26-8-1905

[1] In fact, Booth, the assassin, was shot in a barn which was set on fire by the soldiers pursuing him.

72. LETTER TO GOVERNOR'S SECRETARY

[JOHANNESBURG,]
August 30, 1905

TO
THE PRIVATE SECRETARY TO
THE GOVERNOR OF THE ORANGE RIVER COLONY

SIR,

I have the honour to acknowledge your letter of the 18th inst., numbered P.S.15/05, in reply to the submission by my Association of the 1st July last,[1] regarding certain Municipal Bye-laws affecting Coloured persons in the Orange River Colony.

My Association respectfully submits that, if there are no British Indians in the Location, it is a wanton insult offered to the British Indian community to apply the Location Regulations to it, especially as my Association is still not without hope that some day relief will be granted to the British Indians in the matter of immigration to that Colony. My Association cannot understand why the Location Bye-laws, which are meant to deal with the Natives of the country, should be made applicable by an artificial definition to British Indians.

My Association has not raised any objection to a regulation for the compulsory registration of Native servants, but my Association is respectfully of the opinion that the bracketing of British Indians with the Natives of South Africa is in principle wrong and unjust. I am, therefore, directed humbly to request relief in the matter.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI,
CHAIRMAN
BRITISH INDIAN ASSOCIATION

Indian Opinion, 23-9-1905

[1] *Vide* p. 6.

73. LETTER TO CHIEF SECRETARY FOR PERMITS

BRITISH INDIAN ASSOCIATION

P. O. Box 6522,
JOHANNESBURG,
September 1, 1905

TO
THE CHIEF SECRETARY FOR PERMITS
P. O. Box 1199
JOHANNESBURG

SIR,

My Association has been informed that a new rule has been introduced in the Permit Office whereby British Indian refugees are required to furnish two European references instead of any two known references, as hitherto. My Association submits that the proposed rule is, first, an insult to the British Indian community in that it implies want of faith in Indian testimony, and secondly, is impracticable in that there are few Indians who are known to the European residents by name. Store-keepers, assistants, salesmen and domestic servants in the employ of British Indians rarely come into contact with Europeans, and to expect them to produce European references would be tantamount to rejection of their application for a permit. Thirdly, it would put a premium on perjury, as it is quite conceivable that a few unscrupulous Indians will not find it difficult to find a few unscrupulous Europeans who would be prepared to perjure themselves for a consideration.

My Association, therefore, submits that the only safeguard is to be found in the respectability of references, irrespective of race or colour. Even then it is quite likely that some cases of perjury would happen, but that would be purely a matter for action against those who would lend themselves to such practices. One or two successful prosecutions would certainly do away with them. At the same time, my Association draws your attention to the fact that such questionable practices in the face of enormous temptations have been comparatively rare in connection with the permits. It is indisputable that there were over 15,000 British Indian male adults resident in the Transvaal before War. Only about 12,000 appear on your register. It is reasonable, therefore, to presume that most of the men who have received their permits are pre-War residents of the Transvaal.

My Association respectfully trusts that the rule will be withdrawn, and that the refugees who are now awaiting permission to return will have their applications granted without delay, as, in accordance with the

information in possession of my Association, they are suffering very severe inconvenience and loss.

I have &c.,
ABDUL GANI,
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Pretoria Archives: L. G. 92/2132

74. THE KAFFIRS OF NATAL

Some members of the British Association in England[1] are at present visiting South Africa. They are all scientists, and possess great knowledge. This is the first event of its kind in South Africa. A few days ago, when they were in Natal, the Hon'ble Mr. Marshall Campbell took them to his residence at Mount Edgecombe. Here these people were shown two things. Firstly, they were shown what the savage Negroes were like, and also their dances, etc. They were thereafter introduced to educated Kaffirs. Addressing them Mr. Dubey, their leader, made a very impressive speech.

This Mr. Dubey is a Negro of whom one should know. He has acquired through his own labours over 300 acres of land near Phœnix. There he imparts education to his brethren, teaching them various trades and crafts and preparing them for the battle of life.

In the course of his eloquent speech Mr. Dubey said that the contempt with which the Kaffirs were regarded was unjustified. The educated among them were better than the uneducated ones, for they worked more, and since they had higher standards of life, they offered more custom to the merchants. It was unfair to burden the Negroes with taxes; also it was like cutting down the very branch one was sitting on. The Kaffirs understood and performed their duties better than the whites. They worked hard and without them the whites could not carry on for a moment. They made loyal subjects, and Natal was the land of their birth. For them there was no country other than South Africa; and to deprive them of their rights over lands, etc., was like banishing them from their home.

Mr. Dubey's speech produced a very good impression on the whites, and he suggested to them that, if they sympathised with the Negroes, they might help him to start a smithy on his farm. The members of the British Association subscribed £60 on the spot and presented the sum to him. The Hon'ble Mr. Marshall Campbell also made a speech on the occasion praising the Kaffirs in Natal and pointed out that they were good and useful and that the ill-will shown to them was due to misunderstanding and was wrong.

[From Gujarati]
Indian Opinion, 2-9-1905

[1] *Vide* "The British Association: A Suggestion", pp. 46-7.

75. COUNT TOLSTOY

It is believed that, in the western world at any rate, there is no man so talented, learned and as ascetic as Count Tolstoy. Though he is now nearly eighty years old, he is quite healthy, industrious and mentally alert.

Tolstoy was born of a noble family in Russia. His parents had enormous wealth, which he inherited. He is himself a Russian nobleman, and has, in his youth, rendered very good service to his country by fighting gallantly in the Crimean War. In those days, like the other noblemen of his time, he used to enjoy all the pleasures of the world, kept mistresses, drank and was strongly addicted to smoking. However, when he saw the carnage and bloodshed during the war, his mind brimmed over with compassion. His ideas changed; he began a study of his own religion and read the Bible. He read the life of Jesus Christ which made a deep impression on his mind. Not satisfied with the then current Russian translation of the Bible, he studied Hebrew, the language in which it was originally written, and continued his researches into the Bible. It was also about this time that he discovered in himself a great talent for writing. He wrote a very effective book on the evil consequences of war. His fame spread throughout Europe. To improve the morals of the people he wrote several novels which can be equalled by few books in Europe. The views expressed by him in all these books were so very advanced that the Russian clergy were displeased with him, and he was excommunicated. Disregarding all this, he kept up his efforts and began to propagate his ideas. His writings had a great effect on his own mind. He gave up his wealth and took to a life of poverty. He has lived like a peasant for many years now and earns his needs by his own labour. He has given up all his vices, eats very simple food and has it in him no longer to hurt any living being by thought, word or deed. He spends all his time in good works and prayer. He believes that:

1. In this world men should not accumulate wealth;
2. no matter how much evil a person does to us, we should always do good to him. Such is the Commandment of God, and also His law;
3. no one should take part in fighting;
4. it is sinful to wield political power, as it leads to many of the evils in the world;
5. man is born to do his duty to his Creator; he should therefore pay more attention to his duties than to his rights;
6. agriculture is the true occupation of man. It is therefore contrary to divine law to establish large cities, to employ hundreds of

thousands for minding machines in factories so that a few can wallow in riches by exploiting the helplessness and poverty of the many.

These views he has very beautifully supported by examples from various religions and other old texts. There are today thousands of men in Europe who have adopted Tolstoy's way of life. They have given up all their worldly goods and taken to a very simple life.

Tolstoy is still writing with great energy. Though himself a Russian, he has written many strong and bitter things against Russia concerning the Russo-Japanese War. He has addressed a very pungent and effective letter to the Czar in regard to the war. Selfish officers view him with bitterness, but they, and even the Czar, fear and respect him. Such is the power of his goodness and godly living that millions of peasants are ever ready to carry out his wish no sooner than it is spoken.

[From Gujarati]

Indian Opinion, 2-9-1905

76. THE RISE OF JAPAN

The world over, all eyes are turned today towards Japan. Every one admires that country's bravery and sagacity. Count Okuma, a former Minister of Japan, has written an article in the *North American Review*, wherein he says that the present greatness of Japan is the result of reforms carried out over the centuries. She had remained backward in the eyes of the world simply because of her defective system of education. Japan found that she could not possibly keep foreigners out of the country. She therefore thought of sending out her sons to foreign lands for learning the various sciences and arts. The patriotism shown by her in this regard saved the country's prestige. She introduced the best educational methods from foreign lands. She also introduced compulsory education for boys and girls. At the same time, she did not fail to attend to crafts and industry. She employed foreign experts until her own young men and women had completed their training.

When the educational scheme came into full operation, the Mikado issued an order to be read out in every school. It ran: "May you, our subjects, be devoted to your parents; be loving towards your brothers and sisters; live in peace and amity with your husband or wife; be straightforward in your conduct; be increasingly good and helpful to others; develop your virtues and intellect; bring credit to your country by benevolent deeds; honour the laws in accordance with the Constitution and, when occasion demands, throw yourself into public service and show your valour." Speaking in New York, Baron Keneko said that this was the foundation of Japan's greatness.

For soldiers and sailors also the following seven instructions were issued:

1. Be straightforward and loyal, and stay clear of untruth;

2. respect your superiors, be loyal to your comrades, and eschew arrogance and injustice;
3. obey the orders of your superiors without hesitation;
4. be courageous and brave, and give up unmanliness and cowardice;
5. do not boast of cruel deeds of daring; do not insult or quarrel with others;
6. be virtuous and thrifty; avoid extravagance;
7. preserve your self-respect, and guard against barbarity and niggardliness.

These orders of the Japanese Emperor have promoted virtue in the people, the army and the officials and welded all of them into a united nation. The greatness of Japan today owes much to the above orders.

[From Gujarati]

Indian Opinion, 2-9-1905

77. LETTER TO MINISTER OF EDUCATION

DURBAN,
September 5, 1905

TO
THE HON. THE MINISTER OF EDUCATION

SIR,

We, the parents or guardians of Indian children studying in the Higher Grade Indian School,[1] beg respectfully to submit the following for your consideration and relief.

We have come to know that it is the intention of the Government to change the Higher Grade Indian School at Durban into a school for Coloured children generally, and to observe no distinction as to girls and boys.

We humbly submit that the decision to open the school for all Coloured children is unjust to the Indian community, and is a departure from the assurance given by the then Minister of Education, as also Sir Albert Hime and Mr. Robert Russell, that the school will be reserved for Indian children only. It was established when the Government decided not to admit Indian children to the general schools in the Colony,[2] and we understand that even then a question was raised as to establishing a school for all Coloured children, but after mature consideration the Government decided to give a school to the Indian children alone, and it was on that account that it was given the name it bears today. Moreover, the term Coloured children is an elastic term. Everyone knows the meaning of the expression British Indian, but there is no fixed meaning for the term Coloured person, and seeing that the Government have

[1] *Vide* Vol. III, pp. 171 and 198.
[2] *Vide* Vol. III, pp. 164-5.

adopted a policy of making distinctions, it is only fair that British Indians should have in the largest town in the Colony a school reserved for them. The Superintendent of Education, the other day, was pleased to say that the Indian parents did not object in the other places in Natal to such a mixture. We respectfully submit, however, that it is hardly fair to draw an analogy from the small townships of Natal. It is Durban which contains the largest free and well-to-do Indian population, and it is, therefore, only natural that the difficulty about such matters would be felt keenly in Durban.

As to the question of non-separation of girls and boys, we can only say, as parents having had considerable experience, and speaking for Indian sentiment, that the decision is calculated to give rise to such legitimate complaint. There are not only practical serious objections to such a course being followed, but in many instances there is also the religious sentiment to be considered, and we doubt not that the Government will be pleased to give full consideration to such sentiments.

In conclusion, therefore, we hope that the instructions regarding the two matters referred to would be withdrawn, and that the Government would be pleased to carry out the assurance given to the Indian community when the Higher Grade Indian School was established.

We have the honour to remain, &c.,
ABDUL CADIR,
AND 99 OTHERS

Indian Opinion, 21-10-1905

78. *THE TERMS OF PEACE*[1]

Japan has acted generously in waiving more or less two of the conditions for peace which she had announced. Firstly, she would make no claims in lieu of war expenses, except that Russia should pay £12,00,000 to Japan towards the cost of keeping Russian prisoners and treating the wounded. Secondly, the Southelian Island should be divided equally between the two countries. Whereas the terms have spread jubilation among the Russians, they have caused much dissatisfaction among the Japanese, which shows no signs of abatement. The latest cablegrams show that the emissaries of both the countries are eager to return home, as soon as the terms are finalized and the treaty signed. Not only do the Japanese envoys not expect a warm welcome home, but are afraid that the people will look on them with angry eyes.

[From Gujarati]
Indian Opinion, 9-9-1905

[1] Peace was signed at Portsmouth (U.S.A.) on September 5, 1905.

79. ATROCITIES ON CHINESE MINERS

In his reply to a question by a Member of Parliament on the above subject, Mr. Lyttelton had promised to make an inquiry and to put an end to the flogging. The description of how the Chinese are flogged, given by *The Daily Express* of Johannesburg, makes pitiful reading. We give below a summary of the same. The correspondent says that the facts given by him have been either personally witnessed by him, or are supported by the evidence of those who had ordered thousands of men to be flogged. On an average 42 Chinese were flogged in a Johannesburg mine every day, not excluding even Sundays, towards the beginning of this year. In the first instance, the Overseer complained against an offending miner, who was then taken to the office of the Compound Manager; the latter, in accordance with the nature of the offence, ordered ten, fifteen or twenty strokes to be administered. Then two Chinese policemen took him about fifteen steps away; the offender stopped at the policeman's word of command, took off his trousers and other clothes, and lay with face to the ground; one of the policemen held down the legs of the offender and the other his head, then the executor of the punishment beat him mildly or violently, according to orders, on his back with a wooden stick three feet long and with a flat end three inches broad. If, in the meanwhile, the man made the slightest movement, unable to bear the pain, another pressed him down with his foot on his back, and the number of strokes ordered was completed. In some of the mines, the whip is used instead of the stick[1], and its strokes are so severe that they cause the flesh to swell and cut the skin. When Mr. Cook was Manager at the Norsedippe mines, he used to order any Chinaman, who failed to do 36 inches of drilling, to be punished. His method of punishment was even more cruel than the one described above. That gentleman ordered the use of stout sticks and the blows to be given on the back of the thighs where they were most unbearable; the full number of blows was inflicted even if blood streamed out from the wounds. Sometimes the injury was so severe that the poor Chinaman had to be sent to a hospital. One Mr. Place was later appointed to replace the cruel Mr. Cook. Being considered rather a gentleman among thieves, he ordered rubber batons to be used instead of sticks. After some time the Mine Directors, finding that the average monthly output did not come up to their expectation, ordered Mr. Place to use more force. On his refusing to do so, he was obliged to resign. On the matter being discussed in the House of Commons, it was ordered that some other mode of punishment should replace flogging.

[1] The original has "the stick is used instead of the whip".

Thereupon, Mr. Place, who had experience of conditions in China, introduced a practice that is prevalent there. He had the offending Chinaman stripped, then had him tied with his pigtail to a flag-pole standing in the compound, and made him stand there for two to three hours, however biting the cold or scorching the sun. Then Mr. Place ordered other Chinamen to make faces at the offender. Another method of punishment was to tie a thin rope to the offender's left hand; the rope was then passed through a ring in such a way that the man was suspended with his toe just touching the ground and kept thus for two to three hours. At some places, again, the poor miners were handcuffed and tied to a beam placed two feet above the ground and kept in that position for a couple of hours in such a way that no movement was possible. The new punishment was like falling from the frying-pan into the fire. When punishment by flogging was discussed in the House of Commons, the cruel mine officers had stopped the flogging; but everyone forgot to mention that a more cruel form of punishment had been substituted.

By exposing this matter, Mr. Peckmann, the Editor of *The Daily Express*, has earned the unspoken blessings of hundreds of Chinese. If all this is true, — and there is no reason to disbelieve it — what answer will the Mine Directors give their Creator? Small wonder it will be if they are ruined as a result of the curses of the poor labourers in South Africa. Was it for this that the British waged war and conquered the Transvaal?

[From Gujarati]
Indian Opinion, 9-9-1905

80. FLORENCE NIGHTINGALE[1]

We have in an earlier issue of the journal published an account of the career of the benevolent lady, Elizabeth Fry. Just as she brought about an improvement in the condition of prisoners and devoted her life to their service, so also Florence Nightingale sacrificed herself in the service of the men in the army. When the great Crimean War broke out in 1851[2], the British Government was as usual not alive to the situation. There was no preparation. And just as in the Boer War, so in the Crimean War, too, they committed blunders in the beginning and suffered a crushing defeat. Fifty years ago, the various facilities for nursing the wounded which are available today did not exist. People did not come out to render aid in large numbers as they do now. Surgery was not as efficacious then as it is today. There were in those days very few men who considered it an act of mercy and merit to succour the wounded. It was at such a time that this lady, Florence Nightingale, came upon the scene and did good work worthy of an angel descended from heaven. She was heart-stricken

[1] (1820-1910), famous nurse and pioneer of hospital reform
[2] In fact the Crimean War broke out on October 23, 1853.

to learn of the sufferings of the soldiers. Born of a noble and rich family, she gave up her life of ease and comfort and set out to nurse the wounded and the ailing, followed by many other ladies. She left her home on October 21, 1854. She rendered strenuous service in the battle of Inkerman[1]. At that time there were neither beds nor other amenities for the wounded. There were 10,000 wounded under the charge of this single woman. The death rate among the wounded which was 42 per cent. before she arrived, immediately came down to 31 per cent., and ultimately to 5 per cent. This was miraculous, but can be easily visualized. If bleeding could be stopped, the wounds bandaged and the requisite diet given, the lives of many thousands would doubtless be saved. The only thing necessary was kindness and nursing, which Miss Nightingale provided. It is said that she did an amount of work which big and strong men were unable to do. She used to work nearly twenty hours, day and night. When the women working under her went to sleep, she, lamp in hand, went out alone at midnight to the patients' bedside, comforted them, and herself gave them whatever food and other things were necessary. She was not afraid of going even to the battle-front, and did not know what fear was. She feared only God. Knowing that one has to die some day or other, she readily bore whatever hardships were necessary in order to alleviate the sufferings of others.

This lady remained single all her life, which she spent in such good work. It is said that, when she died, thousands of soldiers wept bitterly like little children, as though they had lost their own mother.

No wonder that a country where such women are born is prosperous. That England rules over a wide empire is due not to the country's military strength, but to the meritorious deeds of such men and women.

[From Gujarati]

Indian Opinion, 9-9-1905

81. THE LATE MISS MANNING[2]

The latest number of *India* brings the sad news of the death of Miss Manning, the energetic Secretary of the National Indian Association, which owes its vitality to this noble lady's self-sacrificing work. She was a true friend of young Indians who went to England for study. Her house was ever open to receive them.[3] Her guidance was always at their disposal.

[1] On November 5.

[2] Elizabeth Adelaide Manning, daughter of James Manning, a county court judge and learned lawyer. Became Secretary of the Froebel Society and was one of the founders of Girton College, Cambridge. In 1877, became Honorary Secretary of the National Indian Association and held the post till her death on August 10, 1905 at the age of 77. Edited *The Indian Magazine and Review* and was interested in all social movements in India.

[3] Gandhiji appears to have often visited the house when he was in England for his legal studies. *Vide Autobiography*, Part I, Ch. XXII.

Her soirees had become an annual feature, and they brought together Anglo-Indians and Indians and thus promoted mutual goodwill. She was quite unassuming, and as *India* states, she avoided rather than sought public recognition. Her death is a distinct loss to the ever-increasing number of young Indians who visit England year after year for study or otherwise. We refer our readers to our London Letter for further information about this lady.

Indian Opinion, 16-9-1905

82. WHO WILL BE THE NEXT CONGRESS PRESIDENT?

India reports[1] that the following names are being mentioned in connection with the presidential election for the forthcoming Congress session: the Hon'ble Mr. Gopal Krishna Gokhale, Mr. Eardley Norton[2], Rao Bahadur Mudholkar[3], Sir Guru Das Bannerji[4], Dr. Rash Bihari Ghose[5] and Babu Kalicharan Bannerji[6]. All these are worthy gentlemen and have rendered great service to India. Even so, Mr. Gokhale's name among them is outstanding. He has put up an admirably tough fight against Lord Curzon in the Imperial Legislature.

[From Gujarati]

Indian Opinion, 16-9-1905

83. HIS HIGHNESS THE GAEKWAD OF BARODA AND HIS MINISTER

Lord Curzon is not pleased with the appointment, by His Highness the Gaekwad, of Mr. Dutt[7] as his Minister. He has therefore, as *The Bengalee* reports, issued a confidential circular to all the Indian princes to the effect that, if any of them wanted to employ persons who had resigned from the Indian Civil Service, he should obtain the previous sanction of the Government. This appears to be one of Lord Curzon's last battles.

[From Gujarati]

Indian Opinion, 16-9-1905

1 As from the Madras *Mail*.

2 Barrister and public worker in Madras.

3 Later, presided over the Congress session at Bankipore in 1912; the original, however, has Akolkar.

4 Ex-Justice, Chairman of the Banga Jatiya Vidya Parishad (Society for the Promotion of National Education in Bengal)

5 Presided over the Congress Session at Madras in 1908.

6 An Indian Christian, who took a keen interest in Congress affairs.

7 Shri Romesh Chandra Dutt (1848-1909). Member of the Indian Civil Service; a close student of ancient Indian culture and civilization; author of *The Economic History of India since the Advent of the East India Company*; presided over the Congress Session at Lucknow in 1899; associated as Revenue Minister and later Diwan or Prime Minister with the former Baroda State. *Vide* Vol. IV, p. 456.

84. BRITISH CENTRAL AFRICA

Good Opportunity for Industrious Persons

The construction of railways is going on in British Central Africa, for which, we learn, labour is needed. We are making further inquiries in the matter. Meanwhile, those desiring to go there may please send us their names and addresses in a neat and legible hand. We shall maintain a register of their names; and if we find that the conditions of migration are favourable, we shall let them know through this journal.

[From Gujarati]

Indian Opinion, 16-9-1905

85. EARTHQUAKE IN ITALY

A severe earthquake rocked Calabria[1] in Italy a few days ago rendering thousands of people homeless and pitiably crying for aid. The King of Italy has donated £4,000 for relief. The numbers of those either dead or seriously injured are 300 at Parghelly, 200 at Geplo, and 2,000 at Martereno. The big quake was followed by another mild one after two or three days. The people are panic-stricken and are running about from place to place, and some are even leaving the country. It is estimated that the injured and the dead total 5,000. The earthquake of 1857 which involved a larger area took a toll of about ten thousand lives. Calabria has frequently had such calamities. During the 75 years preceding 1857, the total loss of life was 1,11,000, giving an annual average of 1,500 lives. There have been several earthquakes in Calabria during the last fifty years, but none of them caused so much damage as the present one. Many villages have been wiped out, and about a hundred thousand people have been rendered homeless. The government of the country is trying its utmost to give them all possible help.

[From Gujarati]

Indian Opinion, 16-9-1905

86. THE CHINESE AND THE INDIANS : A COMPARISON[2]

There are many Chinese living in Johannesburg. They cannot be said to be economically better off than the Indians. Many of them are merely artisans. A few days ago I had the occasion to observe how they lived. On seeing their way of life and comparing it with our own, I felt very sad.

[1] Mountainous region in extreme South-west Italy.

[2] This was published as "From Our Johannesburg Correspondent".

They have founded the Chinese Association for public work, and for this purpose, they maintain a spacious hall. It is a strong structure built of brick and is kept clean and tidy. They meet the expenses for its maintenance by sub-letting the large plot of land they have taken out on lease. Since the Chinese have no facilities for lodging, they have started a Cantonese Club, which serves as a meeting place, a lodge and also as a library. They have acquired for the Club land on a long lease and have built on it a *pucca* one-storeyed building. There they all live in great cleanliness and do not stint themselves in the matter of living space; and seen within and from outside, it would look like some good European Club. They have in it separate rooms marked drawing, dining, meeting, committee room and the Secretary's room and the library, and do not use any room except for the purpose for which it is intended. Other rooms adjoining these are let out as bedrooms. It is such a fine and clean place that any Chinese gentleman visiting the town can be put up there. The entrance fee is £5, and the annual subscription varies according to the members' profession. The club has about 150 members who meet every Sunday and amuse themselves with games. The members can avail themselves of club facilities on week days also.

We have nothing similar to boast of. In no city of South Africa have we a place of our own where an Indian visitor can be put up. Our hospitality is no doubt excellent, but it is bound to be limited. If we had something like a club, it could be used in a variety of ways. It would be very profitable if people could spend their leisure hours at such a public place instead of in one another's homes: no single person is taxed thereby; friendship grows; and our prestige, too, is enhanced. The rules of cleanliness also can be better observed. There is no doubt that this activity is quite essential and can be carried on without much cost.

It is up to us to take a lesson from the club founded by the Chinese and start one on the same pattern. The charge of uncleanliness made against us is not totally unfounded. To establish such a club is the best way of giving the lie to it.

[From Gujarati]

Indian Opinion, 16-9-1905

87. ISHWARCHANDRA VIDYASAGAR

We have already given in these columns brief biographical sketches of a few good men and women of Europe. The purpose of these sketches is to enlighten our readers and to enable them to make their own lives fruitful by emulating these men and women.

The strong movement that is being carried on in Bengal to boycott British goods is of no mean significance. Such a movement has been possible there because education is more widespread and the people in

Bengal are more alert than in other parts of India. Sir Henry Cotton has remarked that Bengal holds sway from Calcutta to Peshawar. It is necessary to know the reasons for this.

There is no gainsaying the fact that a nation's rise or fall depends upon its great men. The people who produce good men cannot but be influenced by them. The main reason for the special distinction that we find in Bengal is that many great men were born there during the last century. Beginning with Rammohan Roy[1], one heroic figure after another has raised Bengal to a position higher than that of the other provinces. It can be said that Ishwarchandra Vidyasagar was the greatest among them. "Vidyasagar", which means an ocean of learning, was an honorific of Ishwarchandra, conferred on him by the pundits of Calcutta for his profound Sanskrit learning. But Ishwarchandra was not an ocean of learning only; he was an ocean of compassion, of generosity, as well as of many other virtues. He was a Hindu, and a Brahmin too. But to him, Brahmin and Sudra, Hindu and Muslim, were all alike. In any good deeds that he performed, he made no distinction between high and low. When his professor had an attack of cholera, he himself nursed him. As the professor was poor, Ishwarchandra called in the doctors at his own cost and himself attended to the patient's toilet.

He used to buy *luchi*[2] and curds and feed the poor Muslims at his own cost, in Chandranagar[3], and helped with money those who needed it. If he saw a cripple or any one in distress by the roadside, he took him to his own house and nursed him personally. He felt grief at other people's sorrows and joy at their joys.

Himself he led a very simple life. His dress consisted of a coarse *dhoti*, a shawl of a similar kind to cover his body, and slippers. In that dress he used to call on Governors, and in the same dress he greeted the poor. He was really a *fakir*, a *sannyasi* or a *yogi*. It behoves us all to reflect on his life.

Ishwarchandra was born of poor parents in a small village in the Midnapur *taluka*[4]. His mother was a very saintly woman, and many of her virtues were inherited by Ishwarchandra. Even in those days, his father knew some English, and decided to give his son a better education. Ishwarchandra began his schooling at the age of five. At the age of eight, he had to walk sixty miles to Calcutta to join a Sanskrit college. He had such a prodigious memory that he learnt the English numerals by looking at the figures on the milestones while walking along the road. At sixteen he became well versed in Sanskrit, and was appointed a Sanskrit teacher. Rising step by step, he at last became the Principal of the College where he had studied. The Government held him in great respect. But, being

1 (1774-1833), A great social and religious reformer, founder of the Brahmo Samaj, supported abolition of *Sati* and worked hard for the spread of education.

2 A kind of unleavened and fried bread made from flour.

3 In West Bengal, then a French possession

4 In West Bengal

of an independent nature, he could not adjust himself to the Director of Public Instruction and resigned his post. Sir Frederick Halliday, the Lieutenant-Governor of Bengal, sent for him and requested him to withdraw his resignation, but Ishwarchandra flatly declined.

His nobility and humanity had their true blossoming after he had given up his job. He saw that Bengali was a very good language, but appeared poor for want of fresh contributions. He, therefore, began writing books in Bengali. He produced very powerful books, and it is mainly due to Vidyasagar that the Bengali language is at present in full bloom and has spread throughout India.

But he also realised that merely writing books was not enough; and so he founded schools. It was Vidyasagar who founded the Metropolitan College in Calcutta. It is staffed entirely by Indians.

Considering that elementary education was quite as necessary as higher education, he started primary schools for the poor. This was a stupendous task in which he needed government help. The Lieutenant-Governor assured him that the Government would bear the cost; but the Viceroy, Lord Ellenborough[1], was opposed to this and the bills preferred by Vidyasagar were not passed. The Lieutenant-Governor was very sorry and suggested that Ishwarchandra might file a suit against him. Brave Ishwarchandra replied: "Sir, I have never gone to a court of law to get justice for myself. How, then, is it possible for me to proceed against you?" At that time other European gentlemen who used to help Ishwarchandra in his work rendered him good financial aid. Not being very rich himself, he often ran into debt by helping others out of their difficulties; nevertheless, when a proposal was made to raise a public subscription for him, he turned it down.

He did not rest satisfied with thus putting higher and elementary education on a sound footing. He saw that, without the education of girls, the education of boys alone would not be enough. He found out a verse from Manu which said that the education of women was a duty. Pressing it into service, he wrote a book on the subject and, in collaboration with Mr. Bethune founded the Bethune College for imparting education to women. But it was more difficult to get women to go to college than to found it. As he lived a saintly life and was very learned, he was respected by all. So he met prominent people and persuaded them to send their womenfolk to the College; and thus, their daughters began to attend the College. Today there are in that College many well-known and talented women of sterling character, so much so that they can by themselves carry on its administration.

Still not satisfied, he started schools imparting elementary education to small girls. Here food, clothing and books were supplied free of charge. Consequently, one can see today thousands of educated women in Calcutta.

[1] Governor-General of India, 1842-4

To meet the need for teachers he started a Teachers' Training College.

Seeing the very pitiable condition of Hindu widows, he advocated the remarriage of widows; he wrote books and made speeches on the subject. The Brahmins of Bengal opposed him, but he did not care. People threatened to kill him, but he went on undaunted. He got the Government to pass a law legalizing remarriage of widows. He persuaded many men and arranged the remarriage of daughters of prominent men widowed in childhood. He encouraged his own son to marry a poor widow.

The *kulin* or high-born Brahmins were given to taking a number of wives. They were not ashamed of marrying as many as twenty of them. Ishwarchandra wept to see the sufferings of such women; and he carried on his efforts till the end of his life to eradicate this wicked custom.

When he saw thousands of poor people in Burdwan suffering from malaria, he maintained a doctor at his own cost and personally distributed medicines among them. He went to the houses of the poor and gave them the necessary help. In this way he worked ceaselessly for two years, secured government help and called for more doctors.

In the course of this work, he saw the necessity of a knowledge of medicine. So he studied homoeopathy, attained proficiency in it, and began to prescribe medicines to the sick. He did not mind travelling long distances in order to help the poor.

He was equally a stalwart in helping big princes out of their difficulties. If any of them had injustice done to him or was reduced to poverty, Ishwarchandra used to help him with his influence, knowledge and money, and mitigate his distress.

While he was engaged in these activities, Vidyasagar passed away in 1890, at the age of seventy. There have been few in this world like him. It is said that, had Ishwarchandra been born among a European people, an imposing column, like the one raised by the British for Nelson, would have been erected as a memorial to him. However, a column to honour Ishwarchandra already stands in the hearts of the great and the small, the rich and the poor of Bengal.

It will now be clear to us how Bengal provides an example for the other parts of India to follow.

[From Gujarati]

Indian Opinion, 16-9-1905

88. *LETTER TO PRIVATE SECRETARY TO LT.-GOVERNOR*

BRITISH INDIAN ASSOICATION

Box No. 6522,
JOHANNESBURG,
September 16, 1905

TO
THE PRIVATE SECRETARY
TO HIS EXCELLENCY THE LT.-GOVERNOR
PRETORIA

SIR,

I have the honour to acknowledge the receipt of your letter of the 13th instant, No. LG 97/3, making certain enquiries about a letter addressed by me to the Chief Secretary for Permits[1] on the 1st day of September current.

The writer of this letter has been in the Colony since 1883 with but brief interruptions, and has been in very close touch with the Indian community whom he has had the honour to represent now for over twelve years, and the first proof, therefore, that is respectfully submitted in support of the statement that there were over 15,000 British Indian male adults resident in the Transvaal before War is the writer's own experience.

My Association further submits the following in support of the statement:

1. In the year 1899, the British Agent submitted to His Majesty's Government a report giving roughly the British population, and the figures were published in the newspapers. To the best of the writer's recollection as to the British Indians, the figures given were 15,000.
2. In the year 1895, a petition was presented to His Majesty's Secretary of State for the Colonies by British Indians in the Transvaal which is published in a Blue-Book on the grievances of the British Indians in South Africa. A rough estimate was made of the British Indian population in the Transvaal at the time and, in accordance with it, there were at least 5,000 adult male Indians, but those who were in South Africa between 1895 and 1899 know that the largest increase in the Indian population of the Transvaal took place between 1895 and 1899. The increase was considered to be so alarming that the late President Kruger was urged by some of the present anti-Indian agitators to take steps, but happily, so far as Indian immigration was concerned, the late President turned a deaf ear to any such suggestion. It was in

[1] *Vide* p. 54.

1896 that India was visited by the plague followed by two successive famines of extraordinary dimensions. The largest known exodus from India took place during that time. The steamers *Courland*, *Naderi*, *Hooseni*, and *Crescent* were specially run between Bombay and South African ports, each having on board per voyage over 400 Indians bound for South Africa. Most of these, it was then a matter of common knowledge, found their way to the Transvaal.

3. It was in the early part of 1897 that the Natal Immigration Act, was passed. In the December of 1896, the Durban Demonstration[1] took place in connection with the *Courland* and the *Naderi* which brought together over 800 passengers of whom in that month alone 500 went to the Transvaal. Each of these steamers made four trips per year, and, if they brought for the Transvaal without allowing for domiciled Indians only 300 per trip, there would be a yearly increase of 4,800 Indians between the four steamers alone, not to take into consideration Indians brought from the other parts of India by the Kings Line and the British Indian Steam Navigation Co. The facts as to the number of passengers per these steamers can easily be verified by reference to the steamship companies or the Port Authorities in Natal.

    The writer's opinion is supported by that of other British Indians who are very old residents of the Transvaal.

4. As to the opposite view, if reference is made to the public statements that have been made by what may be termed the anti-Indian party, it is difficult to speak of its representations with moderation. In almost every material particular, the allegations made by the members of that party have been over and over again challenged and even disproved, and yet they have not scrupled to reiterate them and to inflame the prejudices of the people against British Indians. To take only three instances. Certain figures were given by them regarding the number of traders in Pietersburg before War and after War. Both these Statements have been challenged. Names of the persons trading before War have been produced, and yet the original statement has been reiterated. They have said that it was impossible for British Indians before War to enter the Transvaal and not be registered. My Association has no hesitation in saying that the statement is entirely devoid of truth. Hardly one-third of the people who entered this country were actually registered, and they were only those who had to take out trade licences and even then the number did not necessarily include partners. My Association is in a position to prove from unimpeachable testimony that there were British Indians in the Transvaal before War who never paid

[1] *Vide* Vol. II, p. 154.

the registration fee. Some of them are well known and can be identified by respectable European merchants.

The third statement that has been made is with reference to the alleged Indian exodus to Potchefstroom from Natal. Those that have made this statement can know nothing of the conditions of the working of the Natal laws regarding indentured labourers, and the statement has been made to the effect that it is men drawn from this class who have crowded into Potchefstroom. The detractors of Indians have, so far as my Association is aware, never yet succeeded in introducing any proof in support of the many statements they have made, and have never taken into account the great fact that it was Johannesburg which, before War, supported the largest Indian population, and it is from Johannesburg that the Indians have now radiated into other parts of the Colony. The trade in Johannesburg before War, so far as the Indians were concerned, as it was confined to the Dutch and the Natives, was very fair. Both the Dutch and Native trade at present stands at its lowest ebb. The result is that many traders who found it impossible to eke out a living in Johannesburg have now established in the different parts of the Transvaal. The Johannesburg Location supported a large number of Indian landlords. These have not only been impoverished, but have been obliged to leave Johannesburg and go to other parts of the Colony. If the original condition of Johannesburg was resumed and security of tenure re-assured to the British Indians which they enjoyed before War, most of the Indian population, which is dispersed over the different areas in the Colony, would again gravitate to Johannesburg and the anti-Indian gentlemen would have the satisfaction of knowing that the Indians have certainly disappeared from the many townships.

My Association will be pleased, if an enquiry were to be held, to adduce proof to verify every word of the statements made above. As the Chief Secretary for Permits has forwarded my letter of the 1st September to His Excellency for direction, may I venture to express the hope that what appeared to my Association to be impossible rules, as to European references, will be withdrawn without delay. While all kinds of unsupportable statements are being made with reference to British Indians, innocent and honest men have to suffer much inconvenience and loss without any fault of their own, a hardship which they were never obliged to undergo when they were under a flag not their own.

I have &c.,
ABDUL GANI,
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Pretoria Archives: L. G. 92/2132: Letter No. 504

89. *THE HOONDAMAL CASE AGAIN*[1]

The Supreme Court had another opportunity of deciding upon a point arising out of the Dealers' Licenses Act of Natal. This time it was a review of the decision, some time ago published in these columns, of the Town Council of Durban, confirming that of the Licensing Officer, who refused to register the transfer of Mr. Hoondamal's licence from Grey Street to West Street. The judgment given by the learned Chief Justice is most disappointing. It may be in accordance with law but certainly not with justice or equity. The obvious answer to this is that judges have to interpret and not to make law, but we respectfully think that it must be a serious state of law if it does not provide a remedy for an admitted evil. The Licensing Officer has extensive powers with reference to granting of licences to trade in the Colony. The learned Chief Justice said that, under the law, he was not to exercise judicial discretion. It, therefore, amounts to this, that the Licensing Officer may, in order to spite a personal enemy, decline to grant him his licence, and the Courts would be powerless to intervene. The dividing line between political animus and personal enmity, so far as such cases are concerned, is very narrow. The Dealers' Licenses Act is an administrative enactment. It is not a political law, in any sense of the term. In not granting the licence to Mr. Hoondamal, the Licensing Officer has been undoubtedly guided by political animus against the class to which the appellant belongs. Indeed, he has said so in his reason, which is that it was not advisable to grant further licences to Asiatics in West Street. However, the mischief is done. The highest tribunal in the country has felt itself powerless to correct the evil. Every Indian licence is at stake; and if there is to be any relief secured, British Indian merchants must gird up their loins, rise to the occasion, and carry on ceaseless warfare until the disgraceful Act is blotted out of the Statute-book. Representations must be made to the Government, to the local Parliament, and to the Colonial Secretary, inviting their attention to the matter. If the local Parliament, whose members, in the words of the late Sir John Robinson, are trustees for the unrepresented British Indians, would not listen, the India Office, which is the paramount trustee for the millions of India, should intervene and induce Natal to grant the very small measure of justice to which Indians are entitled. The late Mr. Harry Escombe, at the time of introducing the Bill, said that the success of the measure would depend upon the moderation with which the powers given under the Act were used, and that, if the local authorities failed to exercise their powers moderately, they might have to be taken away. The Act has been in operation for over eight years, and no one can deny it has been capriciously enforced on many an occasion, and it has always hung like Damo-

[1] *Vide* "Hoondamal's Licence", Vol. IV, pp. 277-9 and 301.

cles' sword over the heads of the Indian merchants in the Colony. It is time that the sword was removed, and that the sufferers were permitted to feel that they are under British constitutional rule and not under Russian autocracy.

Indian Opinion, 23-9-1905

90. MR. GOCH AND INDIANS

Mr. George Goch, the Mayor of Johannesburg, let himself go, as the phrase goes, at the meeting recently held in Potchefstroom under the auspices of the Transvaal Progressive Association. He spoke, not as simple Mr. Goch holding independent views, but as a representative of the Progressive Association, and as one bound to express the official views, whether they coincided with his own conscientious opinions or not. Mr. Goch, in 1903, was among the few who raised their voices in favour of British Indians, at the deliberations of the Johannesburg Municipality. He then considered Asiatic competition to be quite healthy. He considered the British Indian as a desirable citizen, because he was industrious, thrifty and law-abiding. Mr. Goch, the Mayor of Johannesburg, does not hesitate to retail the falsehoods that were set in motion by Mr. Loveday and his friends. He does not scruple to vilify British Indians. He sees in them a danger to the white community, whereas only a short time ago he considered them to be a strength to any community in which they were placed. To him, Asiatics are, to-day,

> totally different in their social conditions, whom it is not fair to allow to compete against the white traders, because they could not compete against each other. The Asiatics have very little sense of the burden of citizenship in the country. They avoid all the necessary burdens and duties which the white people have to undertake, and consequently,

says Mr. Goch, triumphantly,

> it is not fair to pit the white trader against the Asiatic and to allow the white trader to go to the wall because there is some far-fetched sentiment (to which, by the way, he himself succumbed in 1903) that, because the Asiatic is a British subject from another section of the Empire, he has the right to their sympathy.

Mr. Goch has not told us what constitutes the burden of citizenship. If it consists in giving public entertainments, if it consists in opening champagne bottles, we must confess that the poor Asiatic has very little sense of such burden; but if it means a readiness to comply with the laws of the country, to pay one's taxes, to earn one's livelihood by the sweat of one's brow instead of becoming a public charge, to conform to the social laws relating to morality, to assist in defending one's country of domicile, no matter how or in what humble capacity, then we have no hesitation in saying that the Indian has well discharged the burden of citizenship. We are afraid, however, that there is no arguing with people who would wilfully mislead. Mr. Goch knows all that we have been saying about the

Indian, but expediency, an eagerness to snatch votes, required from him a change of front. Mr. Goch's example shows to what pass public life has come under modern conditions. The gods must be pleased at any cost. Nothing is too sacred to be sacrificed in order to appease them, and if this is to be the outcome of popular government, the time is not far distant when it will stink in the nostrils, and become a byword for hypocrisy and insincerity.

Indian Opinion, 23-9-1905

91. INDIANS IN THE O. R. C.

We publish in another column the correspondence[1] between Lord Selborne and the British Indian Association at Johannesburg with reference to the status of British Indians in the Orange River Colony. Lord Selborne's reply is extremely courteous, but equally disappointing. In spite of His Excellency's anxiety and desire to soothe British Indians, he has been undoubtedly led away by the reports from the local officials who have smartly succeeded in confusing the real issue. The British Indian Association naturally protested against Indians being classed with all sorts of Coloured people, including the Natives of South Africa. It resented the application of regulations aimed at the Natives of the soil to the Indians who may go to the Colony. The injustice is all the more serious because, in practice, very few Indians are affected, as the application of such legislation to them is not called for by the circumstances of the case. The utility of the registration of servants has never been questioned. The regulations that have been reproduced in these columns from time to time have been shown to be restrictive of the personal liberty and insulting to those affected by them. It was of such legislation that the British Indian Association has rightly complained. What does it get in return? An illustration, shown from Ceylon, to justify registration of servants, which has never been questioned! The Association, in its concluding reply,[1] has also very properly drawn Lord Selborne's attention to the fact that British Indians do expect in the near future to have the right to enter the Orange River Colony, and if the expectation is justly entertained, restrictive legislation in anticipation is open to exception. The matter is one that calls for immediate action, and we hope that Lord Selborne will be pleased to see that justice is done to British Indians who have now settled in the Orange River Colony, or who may have to go there in the future.

Indian Opinion, 23-9-1905

[1] *Vide* p. 53.

92. *THE FIRST COLONIAL-BORN INDIAN BARRISTER*[1]

We extend a hearty welcome to Mr. Bernard Gabriel, who has just returned a full-fledged barrister from England. Under ordinary circumstances, it would be no cause to specially notice a lad becoming a barrister, but the event in which we are now interested is very significant. Mr. Gabriel comes of Indian parents who are among the earliest settlers in the Colony and who are drawn from the indentured class. It reflects the highest credit on them that they and their elder sons sacrificed almost all they had in order to give their youngest son a sound education. It speaks well for their public spirit and parental love. They have raised the poor Indians, who for their livelihood have to serve under indenture, in the estimation of all right-thinking men. Mr. Bernard Gabriel has also shown that, under the circumstances, the children of poor Indians are capable of attaining to a high degree of proficiency, and we think that the Colonists, too, ought to take pride in the event. There is another aspect. Whilst, as an Indian, Mr. Bernard Gabriel has every right to congratulate himself on being a barrister in legal education, he has to recognise the fact that his career is only commencing. He has to consider himself as trustee for his fellow young men in the same walk of life, and it is his example which, if well set, will induce other parents to send their children to England to finish their education. He has adopted an honourable profession, but if it be used as a means for amassing wealth, there may be failure staring him in the face. If his attainments are placed at the service of the community, they will grow more and more. We hope, therefore, that Mr. Gabriel has brought with him a real knowledge of the traditions of his profession, and that in all he does he will be prudent, calm, humble and patriotic.

Indian Opinion, 23-9-1905

93. *PERMIT REGULATIONS IN THE TRANSVAAL*

Strong Representation by British Indian Association

Recently the Permit Office has introduced a regulation to the effect that persons seeking permits can get them only on furnishing the names of two Europeans for reference. This is outrageous. The Association has made a strong representation against it. It has been stated therein that

[1] An address couched in similar terms was presented to Bernard Gabriel on September 19 at a meeting of Durban Indians in the Congress Hall (*Indian Opinion*, 23-9-1905). Though Gandhiji does not appear to have been present and is not among the signatories, it is not unlikely that he had a hand in drafting the address, which contains the following sentence : "We have no doubt but that the interest and betterment of your countrymen, and the advocacy of their cause in South Africa will have your warm support, and that your influence for their well-being will ever be used on their behalf."

there could be very few cases where a European would know Indians by name. The making of such a regulation only means that the Government does not intend to allow any more Indians to enter the Transvaal. This regulation will, moreover, encourage fraudulent practices; for many dishonest Europeans will come forward who will not hesitate to take a false oath for the sake of money. So far, only 12,000 Indians have entered the Transvaal. Before the war their number was 15,000. Hence there is reason to believe that 3,000 more of the former residents are still to return. They are suffering many hardships, and it is the duty of the Government to admit them without delay. The Permit Officer had forwarded the petition to H. E. the Lieutenant-Governor, who wanted to know the grounds on which it had been stated that there were 15,000 Indians before the war. In its reply the Association has submitted the following grounds :

(1) the personal experience of the President, Mr. Abdul Gani;

(2) the personal experience of other early Indian residents;

(3) the Report of the British Agent before the war in which the Indian population was shown to be about 15,000;

(4) the population in 1895 was stated as 5,000.

It would not be surprising if those who entered the Transvaal between 1895 and 1899 were to number 10,000. Thousands of men left India, because of the plague in 1896 and the severe famine in 1897-8. Again stringent laws were enacted in Natal in 1897. All this resulted in many Indians entering the Transvaal. Though there was at that time alien rule in the Transvaal, Indians could freely enter the country. The late Mr. Kruger did not listen to the suggestion that this be stopped. At the time, four steamships, the *Naderi*, the *Courland*, the *Hooseni*, and the *Crescent*, used to ply between Bombay and South Africa, and each of them brought hundreds of Indians to South Africa. Each of the steamers made four trips a year, and calculating at the rate of three hundred passengers per trip, the sixteen trips in a year must have resulted in the immigration of 4,800 Indians.

Besides laying this evidence before the Government, the Association has also shown the statements of Mr. Loveday[1] and others to be quite untrue and has made an appeal to the Government to pay no attention to them and immediately admit the poor Indians that still remain stranded outside.

[From Gujarati]

Indian Opinion, *23-9-1905*

[1] Member, Transvaal Legislative Council, *Vide* Vol. IV, pp. 207-8.

94. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
September 23, 1905

MY DEAR CHHAGANLAL,

Your letter to hand. What you write about Kitchin is astounding. You have nothing to do with his temperament. He is not your boss. You can certainly reply to what he says without losing your temper. You are both equals, and can discuss matters as such. When I say, "You should tolerate him whatever he might say," it does not mean that you should not reply; it only means that you should not get excited while opposing his statements. I know the West incident. There the mistake was mine. I had asked him to go to Kitchin; but I forgot the fact that the venerable Mr. Kitchin cannot tolerate anybody's presence. This is his shortcoming which we should ignore.

I have made it quite clear to you that I do not care in the least even if Kitchin or any other person goes away. The press will not close down on that account. My ultimate reliance is on you and West. The press is not going to close down so long as you two are there. If, in spite of this, you entertain any doubt, I would call that a weakness in you.

Though the expenditure on the electric lights, etc., in the press is not going to be incurred without reference to me, you may declare in the meeting that it cannot be done without reference to me. I have agreed to sanction £40 for it at the most. I have not given permission for the construction of an office in Kitchin's house at the expense of the press. I do not mind giving him a telephone.

You may give money to Mannering.

You should speak to Kalabhai[1]. I have no idea how much money has been given to him. But he has most probably drawn Rs. 500 from Revashankarbhai. I shall write again to Kalabhai about the work, if you want me to do so. You should not be diffident in such matters. I shall write to Shri Revashankarbhai.

Hemchand[2] is not to be dispensed with. Ramnath also is not to be relieved without the matter being given serious thought.

MOHANDAS

[PS.]

I have received the telegram regarding Gokuldas. I wonder if he has brought his permit with him or left it with Kalyandas. If Suleman Ismail wants the bill for the money, the receipt of which we have acknowledged, do send it to him.

From a photostat of the original Gujarati: S. N. 4250

[1] Gokuldas alias Kalabhai, son of Parmanand, a cousin of Gandhiji

[2] A relative of Shrimad Rajachandra

95. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
September 27, 1905

MY DEAR CHHAGANLAL,

I have received your letter.

There is a letter from Hemchand today saying that a notice dispensing with his services has been served on him. I have thereupon sent a telegram asking that he be not discharged. I do not relish the idea of discharging even Ramnath. But if he can be posted with Chi. Jayashanker, you may do so. I am not at all inclined to discharge Hemchand for no fault of his. I intend to make some special use of him. I have already informed you that I have written to Kitchin about this.

I have written a letter[1] to Virji today reprimanding him. I have written to Kalabhai asking him to pay up the money by the end of the year.

Hemchand, it appears, does not get my letters. I am enclosing herewith a letter for him which you may read and then pass on to him. Let me know whether you receive the letters sent to the Grey Street address or not.

As he has asked for it, I have written to you to send Suleman Ismail the bill for the amount we have acknowledged in the paper. If after that, he does not pay, we shall write it off.

I do not think I shall be able to train Gokuldas for Gujarati in two months. He seems to be very weak in Gujarati.

You have arranged Manilal's time-table very well. Since he likes working on the land, ask him to do some work around the house. The main thing is to clear the big plot of land and water the plants. He will get to know more by himself if he looks after the trees. What is he learning? I shall write to you about his English composing. It will be all right for the present if he takes training in Gujarati.

I see that your mind has weakened a little. The real need is for you to stay here with me for a few months, which, however, does not seem to be possible. It is not enough that you are firm about staying on in the press. I have already shown you conclusively as in a mathematical problem that the press won't break down. You had agreed with me in that, and now you write that the circumstances are unbearable and precarious. This is exactly what I consider a sign of weakness. You have not been able to consider — nor did you have the time to do so — what our duty is in regard to the press, what your own duty is or how to deal with the workers; and your weakness is brought out by the adverse circumstances. I consider it a good thing that this has happened; but it

[1] Not available

can be so considered only if you understand the purport of it. I cannot explain all this in a letter. But this much I do say that: (1) the press will not break down so long as even a single man is entirely devoted to it; (2) I do not see anything better for you or the others than the press; (3) however bitter a man might be, he is sure to come round if we bestow upon him pure love in thought, word and deed; (4) but, whether he comes round or not, our duty is to follow the same course without misgivings. I believe it will be better if you train Hemchand and free yourself a little. And I want you to do so.

Blessings from
MOHANDAS

From a photostat of the original Gujarati: S. N. 4252

96. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
September 29, 1905

MY DEAR CHHAGANLAL,

Orchard writes to me saying that you gave Ram directly an order for binding a book, and he complains that, if he is the foreman, this was irregular. He also states the book is not well bound. I have written to him saying that if you have done so, the giving of the order directly is irregular, but that you could not possibly have meant any offence to him or to break the rules, and I have also asked him to have a man-to-man conversation with you. I should, therefore, like you to have a chat with him and let me know also what this is about. It is quite true that all the orders should be delivered to him and not to the different men directly. Please send a copy of *Indian Opinion* to Karsondas[1], Ranavav[2], comp[limentary].

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
C/O *Indian Opinion*
PHŒNIX

From a photostat of the original: S. N. 4253

[1] A brother of Gandhiji
[2] A town near Porbandar in Kathiawad

97. LEGISLATIVE ACTIVITY IN THE TRANSVAAL

Although Sir Richard Solomon, the Attorney-General for the Transvaal, stated that no contentious legislation would be introduced during the present session of the Transvaal Legislative Council, the latest *Government Gazette* to hand gives a list of ordinances passed by the dying Council, some of which are without doubt highly contentious, if, that is to say, the feelings of those whom they are intended to affect are of any consequence. There is, for instance, the Municipal Amending Ordinance which gives any Town Council in the Transvaal the power "with the approval of the Lieutenant-Governor to close any Locations for Natives established or laid out by it or under its control", provided that the Lieutenant-Governor may, before giving his approval to the closing of such Location, require the Council to lay out other land suitable for a Location. It makes further provision for compensation to be paid to the Natives for the value of their huts, etc. Section 10 gives the Council the power to set apart and maintain Asiatic Bazaars, and it makes the provision with reference to Native Locations above referred to applicable to the Asiatic Bazaars, which means that there is only this distinction between the two, namely, that, whereas Natives may be compelled to reside in the Location, Asiatics may not be compelled to remove to the Locations, which are euphemistically described as Bazaars. This legislation regarding Asiatic Bazaars arises from the struggle of the Pretoria Municipality for obtaining control over the Asiatic Bazaars at Pretoria. In theory, there may be no difference between governmental and municipal control; but, in practice, it will very largely depend upon the temper of the municipality that may happen to be in authority. Instead, therefore, of there being a continuity of policy regarding Bazaars, there will now be differences in accordance with the fancy of each municipality. It is very difficult to know why such legislation has been passed during the last days of the existing Council, in view of the fact that the whole of the Asiatic question is still a matter of correspondence between the Home Government and the Transvaal Government. Many more important and pressing matters have been naturally held in abeyance, in view of the establishment next year of an elective Council. The amending ordinances, however, authorise the municipalities to impose licences for tea-rooms or eating-houses which may be used exclusively by Asiatics. For this, we believe the Asiatics in the Transvaal have to thank some Chinese store-keepers, who, in their eagerness to open Chinese eating-houses and not knowing that licences were not required for them, petitioned the Government to let them have facilities for opening such eating-houses. The Government have met the petitioners with what they deserve, and all Asiatic boarding-housekeepers will now have the pleasure of having municipal control over even small Asiatic refreshment rooms. Municipal control, for the sake of sanitation,

we can quite understand and even welcome; but the imposing of licences over businesses which we apprehend are hardly lucrative, so far as British Indians are concerned, is simply preposterous. But British Indians are Asiatics; therefore, if there must be eating-house licences imposed for the catering of 45,000 Chinamen, the Transvaal Government argue there must also be licences imposed for eating-houses for 12,000 Indians. It did not occur to them that Indian eating-houses are very rare, as the custom of the community does not as a rule require them. Indeed, they are so few that hitherto they have not been even noticed.

There is, again, the Revenue Licence Ordinance which requires hawkers and pedlars to take out certificates from magistrates, Justices of the Peace, or Police Officers before being entitled to a licence, exception being made in favour of those who may be already in possession of their licences, provided that these fortunate men, within fourteen days before the expiry of their licences, hand them to the Revenue Officers within their districts.

The Johannesburg Land Ordinance makes it

> lawful for the Lieutenant-Governor to grant to the Councils of the Municipality of Johannesburg in such manner and on such conditions as it may deem advisable and subject to all servitudes at present subsisting therein in favour of any person the land described in schedule 'attached to the ordinance'.

Among the lands thus dealt with is the Malay Location in Johannesburg. This Location has been in existence for the last twelve years or more. There has never been any objection raised to it either on account of the habits of the inhabitants or its situation. The inhabitants, under a sense of security fostered by the different British Agents who represented the Government before the war, have built substantial houses. The tenure, however, from a legal standpoint is only a monthly tenancy. What, then, are the inhabitants to receive as compensation, assuming that they will be removed? We cannot but here recall the invidious distinction that has been drawn between one portion of Vrededorp and the other portion, for the whole of the Malay Location is part of Vrededorp. That portion which is inhabited by the old indigent burghers has received most favourable treatment at the hands of the Government. As our readers must have seen from these columns, they are not only not to be dispossessed but they are to have their monthly tenure converted into long leases. Why should not the same facility be given to the inhabitants of the Malay Location? It will be for the latter to see to their rights being properly safeguarded. These are only a few samples of legislation which has been termed non-contentious. It has in some shape or other dealt with the rights of the Coloured people who have no choice whatsoever in their government.

Indian Opinion, 30-9-1905

98. THE CAPE IMMIGRATION RESTRICTION ACT

The following appears in the Cape *Government Gazette* for the 19th September, 1905:

> In the event of a 'Prohibited Immigrant' having entered this Colony in contravention of the Act, it shall be lawful, after due enquiry into the facts by the Magistrate of the District in which Prohibited Immigrants shall have been found, to order such Immigrant to be detained and accommodated in such place as the Minister may from time to time direct, pending the removal of such Immigrant from within the territorial limits of the Colony, and where such Immigrant is in possession of sufficient means, the whole or the part of the cost of such removal to such port or other place as the Minister may direct shall be borne by such Immigrant.

The provision is very drastic. The Restriction Act has been passed in the supposed interests of the Colony. It is quite conceivable that a man may unwittingly enter it in contravention of the Act. It is hardly just, then, if he is found to be in possession of just enough to pay the cost of his removal to make him bear the burden. Although ignorance of law is in theory held to be no excuse, there are, perhaps, cases in which in practice ignorance is a valid plea. There is already in the Act a clause requiring the masters of all steamers that may bring Prohibited Immigrants to take them back. If a Prohibited Immigrant enter the Colony, it shows also lack of supervision on the part of the authorities, and it seems hardly fair that an innocent man should be punished, either because there is not complete supervision at the Cape, or because the masters of vessels have been careless in selecting passengers. We, therefore, trust that the British Indians at the Cape, whom the new Rule is likely to affect most, will take the necessary steps to have the Rule amended.

Indian Opinion, 30-9-1905

99. THE CHINESE AND THE AMERICANS

The loss already sustained by the United States on account of the boycott of American goods by the Chinese is estimated at £5,000,000. This has led the American traders and merchants to urge their Government to abolish the anti-Chinese laws[1]. To counter this move, the working classes there have held large meetings and passed resolutions demanding that the anti-Chinese laws should not be repealed, whatever the loss they might cause to the traders. Thus, on the one hand, there is a split between the traders and the working classes in America, and on the other, the cablegrams received from China show that the Chinese boycott is gathering strength. This resolution by the Chinese is sought

[1] Intended to exclude Chinese labour

to be applied to all the places where anti-Chinese laws are in force. Moreover, it is also said that the feeling against the whites has become so strong in China that fears are being entertained about the safety of those residing in the interior. It is difficult to say what all this agitation will lead to.

The great advances said to have been made in the nineteenth century are now being put to the test in the twentieth. And it would appear that the present century might witness great upheavals. In all this commotion one thing stands out clear, namely, that where there is unity, there alone is strength, and also victory. This deserves to be carefully borne in mind by every Indian. The Chinese, though weak, appear to have become strong on account of their unity, thereby bearing out the truth of the Gujarati verse, "Thus do ants when united take the life of a fierce snake".

[From Gujarati]

Indian Opinion, 30-9-1905

100. MOVEMENT TO ENCOURAGE INDUSTRY IN NATAL

Commission Appointed by Governor

The current issue of the *Government Gazette* announces the appointment of a Commission to recommend measures that should be adopted so that goods consumed in Natal may be manufactured locally and to suggest changes, if any, that should be made in customs levies to encourage the use of goods thus produced. The members of the Commission are: Mr. Moore, the Commissioner; Dr. Gubbins; Mr. Ernest Act; Mr. James King; Mr. George Paine; Mr. Saunders; and Mr. MacAllisker. We believe it would be a very good thing if our merchants gave evidence before this Commission. There are many things that can be produced in Natal and about which experienced merchants can be of help.

[From Gujarati]

Indian Opinion, 30-9-1905

101. SCHOOLS IN NATAL

The Report of the Superintendent of Education

In his Annual Report, Mr. Mudie, Superintendent of Education in Natal, states that sufficient attention is not being paid to the cleanliness of children in the schools for Indians and other Coloured people. This comment by Mr. Mudie deserves careful consideration. Though Mr. Mudie is not one of our well-wishers, we ought to ponder over our shortcomings when he points them out to us. Parents should give enough attention to this matter. Though we may not ourselves observe rules of cleanliness, it is very essential to teach them to our children. If they learn to follow them, much improvement is likely to result in the course of a

generation. The following points about children should be borne in mind:

(1) Their teeth should be clean. They should be made to rinse them every morning and again before retiring at night.

(2) Their hair should be clean. It should be cut short and washed and brushed every day. No oil need be used.

(3) Their nails should be clean, clipped from time to time and always washed clean.

(4) Their clothes and shoes, however simple, should be neat and tidy.

(5) Their satchels and books, too, should be clean likewise. They should handle books with clean hands.

We need hardly add that it will accrue to the benefit of the children if these rules are kept in mind and they are made to follow them.

[From Gujarati]

Indian Opinion, 30-9-1905

102. INTIMATION TO RESIDENTS OF JOHANNESBURG

We find from the Johannesburg newspapers that the season for epidemic fever has set in there. The Municipality has issued a public notice that those who keep their latrines unclean will be prosecuted. The local rules require that after a person has used a latrine, he should spread dry dust, ashes or some disinfectant powder over the faeces so as to cover them over completely. The latrine should not be wet or smelly. Any default in this respect is punishable with a fine up to £5. This is a very good rule. Ashes or dry dust can be had free of charge. We earnestly appeal to our readers to keep a tin filled with dust in the latrine and cover the faeces with dust or ashes.

[From Gujarati]

Indian Opinion, 30-9-1905

103. GEORGE WASHINGTON

The First President of America

Students of English must have read in their text books about one George who one day cut off, for the fun of it, a berry plant that was dear to his father. When he saw the fate of the plant, his father asked the boy about it. George replied : "Father, I wouldn't tell a lie. I cut the plant." When the father, who questioned him in an angry tone, heard this straight reply from George who had tears in his eyes, he was pleased and forgave him. George was then a mere child.

The boy, on whose mind devotion to truth was thus firmly imprinted, became at fifty-five the first President of America, which is today the admiration of the world. When he was elected to the presidency, the American people offered to crown him king, but he simply rejected the proposal.

George Washington was born in a wealthy family in the city of Westmoreland in Virginia on February 22, 1732. Little is known about the first sixteen years of his life. Until then he had read little. Later, he was appointed manager of some estate. While on this job, he gave proof of his intelligence and courage so much so that, at twenty-three, he was appointed Commander-in-Chief of the Virginian army.

At this time North America was under British rule, and quarrels were going on between England and the American people. The people in America did not like certain taxes imposed on them by England. There were other matters also that troubled the Americans. Consequently, the feelings between the people of America and those of England ran high and resulted in war. The English armies were trained and well equipped, while the Americans were simple, rustic folk. They were not conversant with the use of arms. They were not accustomed to working in the disciplined manner of an army and suffering hardships. Washington was called upon to control such men and exact work from them, so that America could become independent and free from the British yoke. The people made him Commander-in-Chief. Washington protested: "I do not deserve this honour, but since you are pleased to appoint me to the post, I accept it in an honorary capacity with a view to serving the people." This was no mere formal sentiment, for he sincerely believed that he was not sufficiently capable and wrote in similar terms to his personal friends. But once the responsibility was entrusted to him, he braved all dangers, worked day and night, and so impressed the people that they began to act upon his word even before it was spoken and faced any danger they were asked to. The result was that the English armies were defeated, and America became independent. And once the task was accomplished, Washington relinquished his post. But the people had found in him a gem which they would not part with. So, when the American Republic was founded in 1787, George Washington was elected its first President. Even when he assumed this high office, he never thought of using it to gain selfish ends. At the end of a war, it always happens that false patriots come forward to fill their pockets. But all such people had to live in awe of Washington. In 1792-3[1] Washington was elected President for a second time. During his term of office, he showed the same courage and bravery that he had displayed in war in introducing land reforms, in keeping the people united and in enhancing the country's reputation. A writer has said : " Washington was first in war, as well as first in peace, and occupied the first place in the hearts of his countrymen! " When he was pressed to accept the Presidency for a third term, he refused the offer and went to live on his estate.

This heroic person died of a sudden illness on December 14, 1799. He was very tall; his height, it is said, was six feet three inches. No one in his time had such massive arms. He was always humble and kind. The high position to which America has risen today is due to his patriotism.

[1] The original has 1892-3, obviously an error.

The name of Washington will live as long as America lives. May India too produce such heroes.

[From Gujarati]

Indian Opinion, 30-9-1905

104. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
September 30, 1905

MY DEAR CHHAGANLAL,

Anandlal writes that it has been decided to hire an office in Mercury Lane. If this is so, it should not be done. I feel it is essential that I should be consulted before such changes are introduced. There is no harm, I believe, if the new office is located either in Grey Street or in Field Street.

You may place Ramnath under Jayashanker's charge, that is, of course, if he is willing to go. Jayashanker must now be experiencing difficulty in carrying on his business. Mansukhbhai is likely to come here. I have a long letter from him, he appears to be very anxious to come. He is only awaiting the permission of his parents.

I am enclosing the letter received from Klerksdorp. We have not received any money at all from there. In which issue have you acknowledged that money? I remember, as I write this, that an amount from Krugersdorp was at first acknowledged as a whole but, on my suggestion, contributions were later acknowledged individually. It is possible that some confusion has crept in.

I received your letter in the afternoon.

As regards the office, I still think it is not proper to shift it to Mercury Lane.

Send me any letter that you may have received from Krugersdorp. All the moneys that came to me have been acknowledged.

I am enclosing Sumar Latif's letter, which you may return to me after writing whatever you like on it.

MOHANDAS

[PS.]

I have seen today the book written by Sheikh Mehtab[1]. Do not take any notice of it in the *Opinion*.

MOHANDAS

[PPS.]

I am sending the Gujarati matter. As two life sketches have already accumulated there, I shall not send any this time.

Blessings from
MOHANDAS

From a photostat of the original in Gujarati: S. N. 4254

[1] Gandhiji's companion during his school days. *Vide Autobiography*, Part I, Chs. VI and VII.

105. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
October 2, 1905

DEAR MR. CHHAGANLAL,

Mr. Kitchin writes to me that at one of your meetings it was unanimously decided to dismiss Hemchand. When Hemchand wrote to me he had received notice of dismissal, I immediately assured him that the notice would be withdrawn, and I entered into correspondence with both Messrs Kitchin and Chhaganlal.[1] When Hemchand's services were retained, I had a chat with him and I told him that he would be trained in the Press, and that, so long as he behaved and worked well, he should consider himself a permanent fixture. Hemchand I know well, his people I know better. I consider him to be a good and valuable hand who, if the press had to undergo serious difficulties, would stick to it.

Apart, however, from all that, when I heard of Hemchand's dismissal, I felt that my pledge was at stake. It was for that reason that I gave him the assurance I have done.

May I now ask you to ratify my assurance and revoke your decision as to his dismissal in the light of what I am now telling you? For the future, I think that in all such matters I would appreciate the consideration greatly if I were to be consulted before arriving at any final decision.

I am,
Yours truly,
M. K. GANDHI

[*To this is added a handwritten note in Gujarati.*]

CHI. CHHAGANLAL,

Please read the above letter. I have written a similar letter to others. Kitchin has, it seems, made much of the matter. I have sent him too a telegram. If you find it necessary to be present at the meeting, you may do so.

Lachhiram is not getting the paper still. Let me know to which address you send it.

You should get a *kavad*[2] made for Manilal for fetching water. It seems, he finds it difficult to carry water.

Blessings from
MOHANDAS

[PS.]

Gabru, Box 5709, says that he received the *Opinion* only for a week and that he is not getting it now. I do not understand why the names

[1] This letter was sent to others in the Press besides Chhaganlal. See the Gujarati note following it.

[2] A pole carried over the shoulder and having a bucket (or basket) suspended from either end: a yoke.

of [subscribers to the] Madresa[1] [Fund] have not appeared. This should not happen in future.

From the typewritten (English) and handwritten (Gujarati) office copy signed by Gandhiji: S. N. 4377

106. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
October 5, 1905

MY DEAR CHHAGANLAL,

Your letter to hand. Please send me my office letterheads and blank continuation sheets. Add "Telegrams: 'Gandhi'" to it. I have got the name registered. Get this done immediately.

Regarding a house for Anandlal, I was under the impression that he wanted to take Abhechand's house. If he wants to build a new house altogether, I would advise against incurring any expenditure for the present. I am writing to him accordingly.

I see no alternative to getting the house colour-washed for Mr. Bean.

Take full work from Hemchand. Please write to me from time to time how he is doing. Changes like recruitment, dismissal, etc., must not be made without my approval. I have already taken action in regard to this. We need not worry if Orchard[2] and Sam[2] are angry.

Mansukhlal will come here merely for a change for the present. If he comes at all, I shall have him with me for some time to give him bath [treatment], etc. He will then go and stay there for some time.

Kalabhai has written to me saying that he will give £3 every month. Write in the paper about Vasant Pandit. We do not know what is happening.

Blessings from
MOHANDAS

[PS.]

You still do not publish all the notices from the *Gazette*. There are many notices from page 1705 onwards in the current issue of the *Gazette*, viz., of (1) Iyer, (2) Ramsaroop, (3) Bogha, (4) Gisiavan, (5) Parathi, (6) Hoosan Amod and (7) Randeri. I have found these from a casual glance at the paper. All these notices should appear in all the three languages. Therefore carefully scrutinize the *Gazette* henceforth. Some of this work can be entrusted to Hemchand.

Please send me some small envelopes bearing the Phœnix address.

MOHANDAS

From a photostat of the original Gujarati in Gandhiji's hand: S. N. 4256

[1] A Muslim school at Dabhel in Gujarat for which donations were being collected in South Africa.

[2] Workers in the Phœnix press

107. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
October 6, 1905

MY DEAR CHHAGANLAL,

I enclose letter from Virji for your information. Please return it. I am writing[1] to him about the incident you related to me in one of your letters. You may discuss the whole matter with him. I am telling him that I have sent you his letter to me. I wrote to him the letter[2] to which he has replied pointing out that I should be unable to keep him after his year is out if he did not give you satisfaction.

Why do you say the £20 given to Anandlal is a waste of money? If it was so, you should have told Anandlal. From your last letter I understand that Anandlal wanted you to give him £30 for making purchases in town and that he had given up the idea of buying from Tongaat.

I return Desai's letter. As you have found out the mistake, it was not necessary for you to send the letter to me.

Yours sincerely,
M. K. GANDHI

Enclosures[3]

C. K. GANDHI, ESQ.
C/O *Indian Opinion*
PHŒNIX

From a photostat of the original: S. N. 4257

108. COMPULSORY EDUCATION IN INDIA

Whilst every attempt is being made in South Africa to discourage Indian education, signs are not wanting to show that in India itself the desire for education has taken deep root in the hearts of the people, and that, before many years are out, we may even find compulsory education adopted in the advanced parts of India. Macaulay penned the famous Education Minute in 1836.[4] It was then that Indian education received its real impetus, and yet "in the census of 1901, it was found that only one in ten of the female population were literate". Mr. H. D. Kantavala,

[1], [2] and [3] Not available

[4] Thomas Babington Macaulay, (1800-59), President of the General Committee of Public Instruction and Law Member of the Executive Council of the Governor-General, wrote his Minute on February 2, 1835 in favour of introducing English education in India. Till this issue was decided as between opposite schools of thought, the Government could not launch a unified scheme of education in India.

the Director of Public Instruction in the State of Baroda, contributes a very valuable paper to *East and West* for August. According to our authority, the number of students of all grades in 1901 was 3,268,726, and the expenditure incurred on the education of these students was less than two crores of rupees, that is, one-and-a-third million pounds. Of this amount, a little over one-fourth was spent on primary education. The expenditure on education represents 1.5 per cent. of the total revenue of Government. It is admitted that primary education has not received sufficient attention in India, and the main reason is that the Government of India has found it impossible to spend more owing to lack of funds. We will not at present go into the question of why money has not been available for further development of education, but we may say that the matter no longer remains absolutely in the hands of the Government.

Those who have appreciated the sweets of education are eager that their less fortunate brethren should have a share. The Corporation of Bombay has lately passed a resolution approving of the system of compulsory education. His Highness the Maharaja Gaekwar has taken a practical step, and it is the experiment that is now being tried in Baroda in compulsory education that Mr. Kantavala has largely dealt with in his paper. It was in 1892 that His Highness expressed his intention to introduce compulsory education in some portions of his territories and Mr. Kantavala was intrusted with this responsibility. He laid down the following principles for his own guidance.

(1) Before applying the compulsory law to a place, the Government should provide it with means of education.

(2) The law of compulsion should be made applicable to both sexes.

(3) The age of compulsion should be from seven to twelve in the case of boys, and seven to ten in the case of girls.

(4) The course of study should be elementary.

(5) Compulsory attendance should not exceed 100 days in the year.

(6) The defaulters should not be dealt with criminally but only civilly, and be subject to a fine recoverable only by a civil process.

With characteristic energy, and undaunted by serious difficulties of a complex nature, Mr. Kantavala selected a group of ten villages, the most backward in the State (as it was the Gaekwar's intention to see the working of the system at its worst), and enforced the principles above laid down. Several interviews which the Director of Education had with headmen, how he lived down all opposition, how he brought round to his way of thinking the recalcitrant spirits, are all very interesting incidents. We would, however, state the result only in the writer's own language:

> It was thus that I was able to introduce compulsory education in the most backward part of the Baroda State within a very short time. I had to pay special attention for months in order to work out the scheme successfully. By the end of the year, almost all children within the age of compulsion, that is, over 99 per cent. entered school, a result which, even in England and other advanced countries, is not achieved. The successful working of the measure induced His

> Highness to extend compulsory education by taking up fresh groups of ten villages at a time. Compulsory education in the Amreli Taluka has stood the test of more than a dozen years, showing always that nearly cent. per cent. of the children attend the school, and that people have never raised any complaint of a serious nature against it. His Highness has recently sanctioned a scheme for applying to two parts of his territories the law of compulsory education to those children whose parents have a certain annual income.

This is a remarkable achievement, and yet it is only a little germ, when we consider the illiterate millions in India. No one can foretell to what stature the germ will grow in course of time. The experiment is not without its lesson to us in South Africa. It is but right that we should expect the different governments to provide suitable education for Indian children. It is the duty of those Indians who are better situated and who see the advantages of education to see that, if the governments in South Africa will not help them, they themselves make suitable provision for the education of Indian children.

Indian Opinion, 7-10-1905

109. THE G. O. M. OF INDIA[1]

Our Indian exchanges bring news with reference to the meetings held to commemorate the eighty-first birthday of Mr. Dadabhai Naoroji, the Grand Old Man of India, on the 4th September last. Public meetings were held all over India. The services rendered by Mr. Naoroji to India, in our humble opinion, are far greater than the services rendered by England's Grand Old Man[2] to England. Mr. Naoroji's work has been pioneer work, and when he commenced it, few indeed were his helpers. The self-sacrificing devotion with which he has pushed forward the cause of India, in season and out of season, has hardly any parallel in India; and it is no wonder that he stands unequalled by any one in the estimation of millions of his countrymen. The spectacle of an old man of over eighty years wooing a British constituency, not for the sake of glory or honours, but in order that he may serve India the more, is most pathetic and magnificent. If the electors of North Lambeth send Mr. Naoroji to the new Parliament, they will have done themselves a unique honour. We echo the prayers that were offered by the millions in India for long life and health to Mr. Naoroji.

Indian Opinion, 7-10-1905

[1] *Vide* Vol. IV, pp. 49-50.

[2] William Ewart Gladstone, (1809-98), Prime Minister, 1868-74, 1880-5, 1886 and 1892-4. *Vide* Vol. IV, pp. 107-8.

110. THE INSULT TO SIR MANCHERJI

It is with great regret that we notice the insult that has been offered to Sir Mancherji Bhownaggree at Calcutta recently. Because he differed from the [common] opinion on the Partition of Bengal[1], he was burnt in effigy on College Square. Sir Mancherji may surely hold his own opinion, even though it is seldom allowed nowadays to individual members of that temple of freedom — the British House of Commons. To offer such flagrant insult to a member of that assembly, who has proved his zeal in the cause of India, is unwise; nay, it is stupid. Indians may not always see eye to eye with Sir Mancherji, but they cannot fail to acknowledge that he is ever loyal to his native India and that he has always her interests at heart. Indians in South Africa will especially feel this insult; for he has proved himself a true friend to the unrepresented thousands here. Indians will do very wrong to value a man according to the power of his invective and the bitterness of his denunciation of Britain's perfidy. The more moderate opinions of a man like Sir Mancherji have far greater weight than the extravagances of hot-headed Radicals. It is the conviction of calm reasoning alone that will get the full measure of justice for India; and for this reason Sir Mancherji is, of all men, the least deserving of the ingratitude of his fellow-countrymen.

Indian Opinion, 7-10-1905

111. THE BOYCOTT

From cables and Indian papers recently to hand, it is evident that the boycott movement in Bengal is not destined to fizzle out in an inglorious fashion. Though there appears to be a deal of mob-law in preventing persons from buying British goods, the movement is so general as to show that it results from deep feeling on the part of the people. Whatever may be the result of the present agitation against the Partition, the effect of the boycott will be productive of only good to India. It has resulted in a wonderful stimulation of native industries which, we trust, will grow more and more. It is a result unlooked for, but not the less eminently desirable. The great need of India is that national characteristics should be fostered and improved. If the resolve to use only Indian goods, so far as possible, be maintained, it will be no small help in developing the national spirit.

Indian Opinion, 7-10-1905

[1] On grounds of administrative convenience, Bengal was divided into two provinces, one of which was predominantly Hindu and the other Muslim. The Partition, which raised a storm of protest throughout India and led to the movement for boycott of British goods, was finally annulled in 1911.

112. DR. BARNARDO

The news of Dr. Barnardo's death last month has been cabled throughout the world. Our readers must be eager to know who this Dr. Barnardo was. We are, therefore, giving this time in these columns an account of the worthy doctor's life.

Dr. Barnardo was regarded as the father of orphans and waifs. In his early years the doctor felt deeply depressed whenever he happened to see an orphan. But he had then no means of helping them. Although he was poor, the idea occurred to him that he should undertake to bring up orphans and thus earn his own livelihood.

As the Gujarati saying, 'giving a needle in charity after stealing an anvil', goes, we want first to earn plenty of money and then spend it on some good cause. The entire lives of many are spent in the process of amassing wealth. Some others forget their original resolution when they have earned enough, yet others, when they have amassed money, do not know how to use it properly, waste it on all sorts of things and feel satisfied that they have spent it well. Never having been benevolent, they cannot use the money properly.

The intelligent Dr. Barnardo had seen all this. So he told himself: "My heart is pure; those who trust me and give me money will also realise that I too must support myself with it. At the same time, if I undertake to shelter and bring up orphans, I shall earn their blessings and the people, too, will see that I have no intention of making money for myself." With these thoughts in his mind, the brave doctor plunged into the work, and opened the first Home for orphan-waifs at Steveny Causeway in London. People at first opposed him, many saying that he had only found a fine way of making money by deceiving the public. Dr. Barnardo, however, was not to be discouraged. He collected money from those who trusted him. By and by, more and more children began to flock to his Home. Instead of becoming vagabonds, they became studious, honest and industrious and secured employment. All the children thus brought up served as good publicity for Dr. Barnardo's Home. They saw that Dr. Barnardo looked after them better than their own parents would have done. The doctor founded more such Homes, till at last he established a colony for orphans in a wood, six miles away from London. There he put up fine buildings, churches, etc., and the place has now become so famous that many people visit it and feel they are on a pilgrimage; and in course of time similar homes have been founded in many parts of the world. Dr. Barnardo himself brought up in this way during his lifetime 55,000 homeless children. There were some wicked parents who took unfair advantage of the facility provided by the doctor. They quietly left their children at night in Dr. Barnardo's backyard and went away.

Undaunted, the doctor brought them up with care and returned them to their parents when they claimed them. Every year, in the big Albert Hall in London, a fair is held in which the children from these Homes take part and thousands of people pay to visit it. It has come to be known after the doctor's death that he had insured his life for £70,000. He has enjoined in his will that all this money should be spent on the maintenance of the Homes founded by him.

Such was this great man, Dr. Barnardo. He was pious and very kind. Though acts like insuring one's life, etc., do not accord well with our idea of religion, it was according to Western practice wise on the part of the doctor to have done what he did.

Dr. Barnardo has provided us, during the present age, a very good example of what a poor man could accomplish by dint of enthusiasm and kindness.

[From Gujarati]

Indian Opinion, 7-10-1905

113. AN INDIAN POET

By his English translations of the poems of Hali, Mr. Ward has made the poet widely known. It is said that there is no other poet who can equal him. His full name is Maulvi Sayed Altaf Hussain Ansari. He was born in Panipat, near Delhi. Most of his poems are in Urdu, though he has written quite a lot in Persian also. The poem he wrote on the occasion of the Jubilee of 1887[1] was so excellent that it resounded throughout North India. His works do not concern themselves with the pleasures of life, but with such useful themes as the duty of Muslims in the present age, the way both Hindus and Muslims should acquit themselves, and the way to know God. Sheth Abdul Kadar of Lahore tells us how during their school days he and his mates used to read Hali's poems, how they read them also when they were grown up, and sang them at community gatherings. He further tells us that they listen to them even now at their *anjumans*[2], and seldom feel tired of reading and hearing them again and again. He has written in very eloquent language of the life of the great poet Sheikh Saadi[3]. Writing about the work of the poet Hali, Prof. Morrison says: "What this poor poet has done unaided for the community far surpasses what the wealthy Muslims have done with their money." In appreciation of the services rendered by the poet to the community, the Government have conferred on him the title of *Shams-ul-Ulema*. We are sorry we do not have with us his Urdu poems, but we recommend that our readers obtain and read them.

[From Gujarati]

Indian Opinion, 7-10-1905

1 The Golden Jubilee of Queen Victoria's reign

2 Meetings

3 A Persian poet of the 13th century

114. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
October 7, 1905

MY DEAR CHHAGANLAL,

Your letter to hand. It is good that you have shifted the office. Please go on appealing repeatedly to maintain cleanliness in regard to plague. Let me know where Hemchand stays. There seems to be some misunderstanding between us regarding him. But I consider it my fault because I gave you no details. You will learn more from my letter to West. Let me know if Hemchand gives you complete satisfaction in his work. Where is Ramnath? Have you entrusted him to Jayashanker or not? Jayashanker is very short of men. Send the *Opinion* to the enclosed address. I shall collect the subscription from here. Debit it to my account.

Will not the shifting of the office to Mercury Lane affect our Indian clientele? Did Sheth Abdul Cadir say anything? Why did you not find a place for the office in Field Street or Grey Street?

I am sending the Gujarati material today. I shall send more tomorrow.

Blessings from
MOHANDAS

From a photostat of the original Gujarati in Gandhiji's hand: S. N. 4258

115. ADDRESS TO LORD SELBORNE[1]

[POTCHEFSTROOM,
Before *October 9, 1905*]

MAY IT PLEASE YOUR EXCELLENCY

We, the undersigned, representing British Indians residing in Potchefstroom, hereby extend to Your Excellency a hearty and loyal welcome to this historic city.

We venture to hope that you will carry with you pleasant recollections of your stay among the people of Potchefstroom.

The difficulties that we labour under in Potchefstroom are common to British Indians all over the Transvaal. A charge has been laid[2] against British Indians in Potchefstroom as to their mode of life and the manner in which their business premises are kept. We would venture respectfully

[1] The address was presented on behalf of the Potchefstroom Indian Association. Similar addresses were presented at Rustenburg, Klerksdorp and Krugersdorp. *Vide* "Lord Selborne on Trek", *Indian Opinion*, 14-10-1905.

[2] By the Potchefstroom Vigilants Association

to invite Your Excellency's inspection of the premises[1] and form your own conclusions about them. We are most anxious, so far as it is possible, to conform to local customs, and to conciliate popular sentiment. All we ask for is freedom of locomotion, trade, residence, and ownership of property under such general sanitary and other regular general regulations as may be necessary without introducing class legislation.

We approach Your Excellency with all confidence that we will receive justice at your hands.

We beg you to convey sentiments of our attachment to Their Most Gracious Majesties the King-Emperor and the Queen-Empress.

S. D. Robert, President,
E. H. Getta,
E. M. Patel,
M. E. Nanabhay,
Hajee Omar,
A. E. Gongat,
A. M. Cassim,
Hassim Tayob,
A. G. Saley Mahomed,
Ebrahim Brothers,
Moosa Hassan,
D. I. Varyava,
A. Rahman, Secretary.

Indian Opinion, 14-10-1905

116. POTCHEFSTROOM INDIANS' STATEMENT[2]

[Potchefstroom,
Before *October 9, 1905*]

MAY IT PLEASE YOUR EXCELLENCY,

Did we not know that what has been called the anti-Asiatic Vigilance Society is to make representations to Your Excellency with reference to the British Indians, so far as regards Potchefstroom, we would not have given any trouble whatsoever to Your Excellency, especially as we are aware that Your Excellency is to meet very shortly a deputation of the British Indian Association at Johannesburg.

Mr. Loveday it was who stated that Potchefstroom was being inundated with indentured Indians from Natal. To this we beg to give an emphatic contradiction. Some of us know the Natal laws, and we know that

[1] This is evidently a slip and should read: "We would venture respectfully to invite Your Excellency to have an inspection of the premises and form your own conclusions about them."

[2] This was read out by Mr. Abdool Rahman, Secretary, Potchefstroom Indian Association, after he had presented the address to Lord Selborne.

[it] is next to impossible for an indentured Indian to escape. In any case not a single instance has been brought forward to prove the statement above referred to.

Another statement was made by the Mayor of Johannesburg when he was here. He is reported to have said that, whereas there were nineteen licences issued to Asiatics before the war, now there were ninety-six traders' licences and thirty-seven hawkers' licences. This statement, so far as traders are concerned, is not true. We supplied before the war a list of British Indian traders in the town of Potchefstroom to the British Agent, and there were twenty-two British Indian stores in the town of Potchefstroom, as distinguished from the district. We have a true copy of the list that was sent to the British Agent, and we are to-day in a position, not only to give the names, but to locate each of the store-keepers. Seeing that Mr. Goch mentions ninety-six traders' licences in connection with the nineteen before the war, we take it that he refers to ninety-six traders' licences for the town of Potchefstroom. If so, this is grossly untrue. There are only twenty-four British Indian stores in this town at the present day. We state this with a full sense of responsibility and knowledge, and we challenge our detractors to prove the contrary.

A third statement that has been made against us in Potchefstroom is with reference to the so-called insanitary condition of our dwellings and shops. These, indeed, speak for themselves, but when the charge was made, we took the opportunity of showing our places to the District Surgeon of Potchefstroom, and the following is the report that he gave:

> In going through the various premises, I am pleased to say I was greatly impressed with the general condition of each place I visited, both internally as well as externally. Taking all things into consideration, the backyards are all perfectly clean and sanitary. I saw no accumulation of rubbish, this I understand being carried away daily by the contractor. The bucket system is enforced as in other parts of the town, which is also attended to by the Sanitary Department, and I can find no fault from what I saw. There appears to me to be no overcrowding as regards sleeping accommodation. At the back of each business premises, in addition, I noticed a kind of mess room capable of seating about five to eight persons, and each has its own kitchen; these are also well kept.

We mention these things to show under what disadvantages we have to labour, and what misrepresentations are made against us. We have no hesitation in saying that the whole of the anti-Asiatic agitation is due to trade jealousy. Nothing can be further from our wish than to enter into an unfair competition with the white store-keepers.

Much has been said against our mode of life. We are proud to think that we are sober and simple in our habits, and if thereby we have an advantage over the rival white traders, we hardly think that it should be brought up against us in order to traduce and degrade us. It is totally forgotten, in this connection, by those who denounce us, that the white traders have other advantages which we cannot dream of having, namely, their European connection, their knowledge of the English language, and

their better organising powers. Moreover, we are able to carry on our trade only because of the goodwill of the poor whites, and our ability to please the poorest class of customers; also, we have the support of wholesale European houses. It has been said that our competition resulted in many European shops being closed. We deny this. In the first instance, some of the shops that have been closed were not shops with which we could possibly enter into competition, for instance, hairdressers and others. Some general goods stores have undoubtedly closed, but to connect their closing with Asiatic competition would be [as] unfair as to connect the closing of several Asiatic shops with European competition in this town. There is trade depression all over South Africa, and it has only resulted in getting rid of overtrading that was indulged in soon after the war, based, as it was, on high expectations which have never been fulfilled.

May we also, in this connection, state that much of the agitation against us is kept up not by *bona-fide* British subjects but by aliens who can have very little indeed to complain of against us. The policy adopted to drive us out of the township is a policy of irritation and insults which, though petty in themselves, are galling enough to be very much felt by us.

Without the slightest occasion, we are now served at special counters in the Post Office. We are debarred from having a breath of fresh air in a park which is called a "public" park, and which is kept up from rates which we are called upon to pay in common with other citizens. We mention these instances to draw Your Excellency's attention to the awkward position in which we are placed without any fault of ours. No opportunity is missed of degrading us and humiliating us. We do not wish to burden Your Excellency with such other instances. We have a right, we submit, to expect the British Government to protect us from such humiliation, and insure for us that freedom to which, as loyal British subjects, we are entitled wherever the Union Jack flies.

We beg to thank Your Excellency for giving us a patient hearing, and in conclusion hope that, as a result of Your Excellency's visit to this township, there will be an amelioration in our condition.

Indian Opinion, 14-10-1905

117. LORD SELBORNE AND INDIANS IN THE TRANSVAAL

His Excellency the High Commissioner has made, during his tour in the Transvaal, two very important speeches on the status of the British Indians in that Colony. His speech at Potchefstroom, which will be found in another column, is the more important. Lord Selborne has shown therein that, during his short stay, he has studied the question. He holds the honour of the Government very dear to him, and recognises the fact that there were promises made to British Indians before the war which have to be carried out. His Lordship, we are further glad to notice, in-

terprets the Indians' Proclamation[1] as an assurance of the rights of Indians as full British subjects all the world over. For all this, and a great deal more, we are truly thankful to His Excellency. When there is such an evident desire to hold the scales evenly between conflicting interests, there is every ground for hope that, in the near future, a solution will be found for this difficult problem which will be generally accepted.

One thing, however, that Lord Selborne is reported to have promised, fills us with disquiet. These are the reported words:

> No Indians who were not here before the war will be admitted into the country till you have your own parliament, and by your own representatives you can express your own opinion. I give you that assurance as your Governor and your High Commissioner.

We are sure that His Excellency could not have, at the time of making the promise, measured the full consequence of its operation. His Excellency is anxious to draw the distinction between Indians already settled in the country and those who may come hereafter. He impressed upon his audience the necessity of giving fair treatment to the old Indian settlers. Now the fact that Indian merchants must draw upon India for confidential clerks, managers, and other trustworthy servants has only to be mentioned to convey conviction. It is well-nigh impossible for them to continue to do business with any degree of safety without such facilities. Are we, then, to understand that, unless the incoming Transvaal Parliament chooses to do otherwise, Indian businesses are to be starved into surrender for want of reliable men?

His Excellency says again that it is not practical statesmanship to allow Indians to compete with white men without restriction. We have often discussed this proposition in these columns, and we think we have shown how hollow it is. For that which is true in it has been admitted by the Indians, and that which is not true arises only from pure trade jealousy. The soundness of the Indian position must be apparent to any but the most prejudiced man, when it is explained that, with proper safeguards, new Indian licences may be granted only at the option of the local boards, which consist largely of traders. But the anti-Asiatic agitators, who are bent on driving every Indian out of the Colony, will not be satisfied until they succeed in making his life totally unbearable. It is against attempts such as these that the Indians have a right to expect Lord Selborne to protect them.

Indian Opinion, 14-10-1905

[1] The Queen's Proclamation of 1858

118. THE VISIT OF LORD SELBORNE

Today Lord Selborne arrives in Durban, having spent most of the week in Natal[1]. In common with the rest of the community, we most heartily give our humble welcome. Lord Selborne has been in South Africa only a short while, but already he has gained the confidence of all sections of the people that he will do his duty to everyone without fear or favour. In many ways, His Excellency will find Natal different from the sister-Colonies. Natal presents some interesting problems for study, in that it has a large Native population with a comparatively small white population, which is dependent for the chief industries under its control upon a large indentured Indian population. The presence of the latter has naturally attracted to the Colony Indians of the trading class. We trust that, during his short stay, His Excellency will be able to give some of his valuable time to a study of the British Indians in Natal who form by common consent one of the most loyal and law-abiding sections of His Majesty's subjects. And we hope with the rest of the community that His Excellency and family will enjoy their visit to the Garden Colony and carry with them pleasant recollections.

Indian Opinion, 14-10-1905

119. THE BUBONIC PLAGUE

Plague has come to stay. It is the annual messenger which, year after year, comes as a warning against darkness, filth and overcrowding. Wherever it has once appeared, it has hitherto unfailingly reappeared with more or less regularity. News has arrived that it has travelled as far as Chinde[2]. From there to Durban is not a far cry. It, therefore, behoves every good citizen to take the necessary precautions to ward off the fiend. There should be no disguising of the fact that Indians are more susceptible to the ravages of plague than other communities, even as are the whites more liable to catch typhoid fever than the Indians. The latter, therefore, have to be doubly careful. All the surroundings of dwelling-houses and business premises should be kept perfectly clean. People should get as much light, sun and air as possible, and all suspected cases should be promptly reported to the authorities. These few simple precautions would be far more effective than a large expenditure, or, rather, waste of money, after the disease has once made its appearance. Leaders of the Indian community have in this respect a clear duty to

[1] An obvious mistake for 'the Transvaal', which Lord Selborne had toured earlier in the week. *Vide* the preceding item.

[2] A sea-port in Portuguese East Africa, to the north of Durban

perform. Every educated Indian has a unique privilege: he can become a missionary in hygiene and sanitation.

Indian Opinion, 14-10-1905

120. THE SALT TAX

A rumour is afloat that, to commemorate the visit of the Prince of Wales to India next November as well as to pacify the Indian people, the salt tax is entirely to be abolished. Every Indian sincerely hopes that this is well founded and will prove true.

[From Gujarati]

Indian Opinion, 14-10-1905

121. SIR HENRY LAWRENCE

This great man was born in Ceylon on June 28, 1806. As he was born in the city of Matara[1], in jest, his mother called him "the Jewel of Matara", and he proved to be a real jewel indeed. In 1823 he went to Calcutta, where he got employment in the Bengal Artillery. The first responsible work entrusted to him was during the First Burmese War[2]. While discharging his duty during that war, he fell ill and had to go to England where, instead of passing his time in sports and amusements, he devoted it to study. He returned to India in 1830, and rejoined his battalion. He then studied Hindustani and Persian. He spent all his free time in solitude. One of his reasons for doing so was that he wanted to save as much money as possible for his mother. In the meanwhile, he was appointed to a very important and responsible post, where he fully utilized the knowledge he had acquired during his illness in England. The work entrusted to him was that of carrying out a survey in the North-West Province for the purpose of levying taxes from the people there. The real merits of Lawrence came to be known then. Though a soldier, he had a very tender and merciful heart. The survey work brought him into close contact with the poor, and this enabled him to understand the feelings and the manners and customs of the people. He became one of them and mixed freely with them. As he was very hard-working and persevering, the idlers under him hated him. He did not hesitate to use compulsion against shirkers. Once it happened that one of the survey officers committed a blunder, to rectify which Lawrence ordered him to visit the place again. As the place was ten miles away, the surveyor hesitated to go. He was thereupon sent there in a litter. But despite this the man obstinately refused to work.

1 A seaport in South Ceylon

2 1824-6

So Lawrence made him sit on a mango tree, and posted two guards below with drawn swords. When the surveyor felt very thirsty and hungry, he begged pardon of Lawrence, agreed to do the work, and sought his permission to get down. After this the man shed this obstinate habit and began to do very good work under Lawrence.

We have heard that in the days of old, a brother was often ready to die for a brother, a friend for a friend, a mother for a son, sons for parents and a wife for her husband. But Lawrence acted in this manner in modern times. His elder brother had been taken prisoner in the Afghan War, and was released on parole for a few days by the Pathan Chief. He was bound to return after the period of parole was over. Considering that his brother's services were more useful, Lawrence offered to take his place in the prison. Although the brother refused to agree to the proposal, Lawrence as good as did it.

While Lawrence was serving as ambassador in Nepal, his kind-hearted wife spent her days in good works. At that time the two together erected, at their own expense, a big building at the foot of the Himalayas for bringing up and educating the sons of European soldiers. Similar institutions have since been built all over India, and all of them have been called Lawrence Asylums. In the Sikh War of 1846 Lawrence showed great valour. He readily complied with the orders to join active service within twenty-four hours, leaving his ailing wife behind. After the War, he did very good work as Her Majesty's representative in Lahore, for which knighthood was conferred upon him. When in 1849 it was proposed to annex the Punjab, Lawrence alone opposed it and stood up to a Governor-General of the calibre of Lord Dalhousie. Though he did not succeed, the Governor-General had so much confidence in him that he entrusted the main responsibility for work in the Punjab to him. For he had earlier come into very close contact with the Sikhs who greatly loved and admired him. It is because of this that the Punjab was pacified.

But the greatest service rendered by Lawrence was during the Mutiny of 1857. By that time his health had broken down and he had already been sanctioned leave. But on the outbreak of the Mutiny, he at once proceeded to Lucknow instead of availing himself of the sanctioned leave. 927 Europeans and 765 Indian sepoys were involved in the Siege of Lucknow. Lawrence worked day and night and exacted work from the besieged men also. He sat on in his barracks, indifferent to cannon fire. On July 2, 1857, he was struck by a splinter from a cannon shot. The doctors told him that the wound was fatal and that he would not live more than forty-eight hours. In spite of the unbearable pain, he kept on giving orders. He breathed his last on July 4, praying : "Oh God! keep my heart pure. Thou alone art great. This world of Thine will certainly be pure some day. I am but a child, but it is through Thy strength that I can become strong. Always teach me meekness, justice, good-will and peace. I seek not the thoughts of men.

Thou art my Judge; do Thou teach me Thy thoughts, for I fear Thee." He loved Indians greatly. He condemned the atrocities that were perpetrated at the time of the Mutiny and believed that every Englishman was a trustee for India. As trustees, the English were not to loot India, but to make the people prosperous, to teach them self-government and to make over the country to the Indian people in a prosperous state. The English people have progressed because men like Lawrence are born amongst them.

[From Gujarati]
Indian Opinion, 14-10-1905

122. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
October 18, 1905

MY DEAR CHHAGANLAL,

I have received a telegram from Mr. Kitchin asking me to leave here so as to pass at least Sunday at Phœnix. He says he has sent a letter which I am to expect to-morrow evening. Much will depend upon the letter whether I shall leave or not. If I do, I shall leave on Friday morning, reach there[1] at 1.16 p.m. [and] take the train to Phœnix at 1.20. Please be at the station and be ready with my ticket also. You can buy excursion[2]. I should leave Phœnix by the first train on Monday. The Durban clients will grumble, but it is not to be helped. Everything that you want to ask me, please put down on paper so that there can be nothing left undiscussed or undone. You may inform the people in Durban that it is possible I should thus leave, and tell them also that it will be impossible to give them anything but a few hours on Monday. It is impossible for me to prolong my stay. I need hardly say anything more. Please inform Mr. West and others.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original: S. N. 4259

[1] Durban
[2] Return ticket

123. ANOTHER LICENSING CASE

Mr. Dada Osman[1], who has been in Natal for the last 15 years or more, is a landed proprietor who settled in Vryheid as a general merchant during the time of the Republican Government. He was allowed to trade in Vryheid unfettered up to the outbreak of hostilities, and now, after a single-handed struggle against the British power for over three years, finds himself face to face with ruin. And Dada Osman is a British subject! If a foreigner were to ask why a British subject should have British machinery put into operation against him in order to deprive him of his civic rights, he not being a criminal, the answer would be—such is the British Constitution. If it is very often strong to protect, it is also often powerless to defend against a palpable injustice. It is unbelievable that a man who has been lawfully trading for a long time should be deprived of the right of continuing his trade at the bidding of half-a-dozen of his competitors, who, being too cowardly to meet him in open competition, take advantage of temporary power placed in their hands to traduce their rival and ruin him. Yet that is what has happened in the present case. The Dealers' Licenses Act of Natal, to which copious reference has been made in these columns,[2] places at the mercy of Local Boards, consisting of big traders, the smaller and the Indian traders. And the big traders have not hesitated to mercilessly use the power thus given them. The Act was passed to crush the Indian. When he is dead or gone, it will be used against the small white traders. Then will be a fight for the gods to see. The poor, humble Indian fights constitutionally. For a fight of that description, the Local Boards, in the intoxication of power suddenly placed in their hands, show supreme contempt.

In Mr. Dada Osman's case, there is not a shred of justification for the action of the Vryheid Board. He was the only Indian merchant in that township. His was not an application for a new licence. His business premises were kept in an exceptionally satisfactory condition. But because he wears a brown skin, the white members of the Board have closed his store without compensation, and, moreover, have rejected his solicitors' application for permission to keep his store open whilst he is trying to secure relief from a higher power. This is not a case of the Vryheid Local Board *vs.* Dada Osman. It is a case of white British subjects and white foreigners against the British Indian community. It is in that light that every Indian merchant has to look at the case; and it is in the same light that Mr. Lyttelton will have to examine it.

Indian Opinion, 21-10-1905

[1] *Vide* Vol. III, pp. 17-21.

[2] *Vide* Vol. IV, pp. 137-8 and 276-7.

124. THE EVILS OF SMOKING

The Government of South Australia has noticed that smoking, besides consuming a lot of money, badly undermines the health of the people. More harm is done by cigarettes than by cigars, for the former, being smaller and cheaper, are consumed in excess. The Government therefore propose to introduce a Bill prohibiting the manufacture and sale of cigarettes.

The evil habit of smoking cigarettes has nowadays become very widespread among us, both young and old. This is sheer imitation of the English. Formerly, people were no doubt in the habit of smoking *bidis* or country cigarettes, but they used to keep it within limits. They felt ashamed of smoking any and everywhere. They did it at specific times and that, too, in privacy. It was considered lack of decency to smoke publicly in the streets at all hours of the day, and people rarely smoked outside their homes. Hence the saying about tobacco, that it spoils "a corner [in the house] of one who chews it, the whole house of one who smokes it, and the clothes of one who sniffs it". But the English today never mind smoking anywhere and everywhere, and we too are copying them. When the people in a country like South Australia have begun to realise the harm done by smoking, we also, we hope, will learn a lesson and come to some decision in the matter.

[From Gujarati]

Indian Opinion, 21-10-1905

125. RAJA SIR T. MADHAV RAO

Sir T. Madhav Rao was born in 1828 in the city of Kumbakonam[1]. His father, Shri R. Langa Rao, had been the Dewan of Travancore, and his uncle, Rai R. Venkat Rao, had been the Dewan as well as Revenue Commissioner of Travancore. Sir Madhav Rao had spent his childhood and received his education in Madras. He studied at Presidency College [Madras] under Mr. Powell. Madhav Rao was a hard-working student, and was proficient in Mathematics and Science. He had learnt astronomy while sitting on the stairs of Mr. Powell's house, and he made a microscope and a telescope from bamboo with his own hands.

Unwilling to part with such an intelligent student, Mr. Powell appointed him Professor of Mathematics and Physics under himself. Later, Madhav Rao got a good post in the office of the Accountant-General, and after some time, on being invited to work as a tutor to the princes of Travancore, he accepted the offer. This was how he entered,

[1] In Madras State

for the first time, the service of a Native State. The princes in his charge became good students, and their career as rulers also proved to be very successful. After working as a tutor for four years, he was given the responsible post of an assistant to the Dewan. He was later appointed Deputy Dewan, in which post he earned a good name. The State had been in a very bad condition. The late Mr. J. Bruce Norton has said of him : " He was a great scholar and a political administrator. In the short space of a year he established peace in the land. To everyone he meted out justice without fear or favour. He greatly reduced theft, treachery and deceit. "

The Dewan of Travancore was a very weak man, and the Maharaja too was ill-informed. He did not know how the administration was going on, and the officers of the State too had become debased and corrupt. Their salary, moreover, was very low and sometimes fell into arrears for months. The loan advanced by the British Government had not yet been repaid, and the treasury was empty. The taxes being heavy, trade was in a very bad state and the people were reduced to utter poverty. This caught the attention of Lord Dalhousie[1] who resolved to take over the administration of the State on behalf of the British Government and proceeded to Octacamund with a view to annexing the State to Madras Presidency. At this time, the Maharaja appointed Madhav Rao to the post of Dewan and he successfully pleaded with the British Government to give him seven years' time to improve the State administration. In this way, at the early age of 30, by dint of personal effort and honesty, Madhav Rao attained a distinguished position. The notable event of his career as Dewan pertained to the State revenues. The State finances were in a bad way when he took charge as Dewan. He abolished the excessive land revenue and other taxes imposed in the past as they were harmful to the prosperity of the people. He also abolished the system of monopoly for revenue collection. He met the deficit in the annual revenues by levying an export duty of 15 per cent. on all goods. As the State went on prospering, he gradually reduced the rate of this duty and brought it down to 5 per cent. Next he abolished the monopoly in tobacco also and permitted State subjects to buy it directly from outside, replacing the former system of Government first buying it at its own risk from the contractors and then selling it to the people. The tariff burden being thus made light, imports received much encouragement. He then removed many other petty taxes and cesses as they did not yield much revenue and were also harmful to the prosperity of the merchants. He reduced, at one stroke, the very heavy land tax in a certain village. In 1865, on behalf of Travancore, he entered into a trade agreement with the British Government and the Government of Cochin, as a result of which the customs duty on goods imported from British Indian and Cochin territories was abolished for the most part.

[1] Marquess of Dalhousie, (1812-60), Governor-General of India, 1848-56

In appreciation of his able administration the British Government conferred upon him the title of K.C.S.I. When this title was ceremoniously conferred upon him before a large gathering in Madras, Lord Napier spoke highly of him. In 1872, Madhav Rao resigned his post. During his tenure he established an orderly government in place of misrule, and thereby ensured security of life and property for the subjects. He constructed huge and massive buildings, thus giving encouragement to the artisans. He had many works of public utility executed and promoted agriculture by reducing land revenue. But for Madhav Rao, the State of Travancore would have been lost to the Maharaja. Madhav Rao did for Travancore what Pericles did for Athens and Oliver Cromwell for England. He was offered a seat in the Imperial Legislative Council, but did not accept it.

A little later Maharaja Tukojirao Holkar of Indore[1] requested the British Government to give him an able Dewan. When the Government offered the services of Madhav Rao, the Maharaja accepted them for a period of two years. The most noteworthy work he did there was the formulation of the Indore Penal Code. During the two years he held office, he did many good things for the people and raised the State to prosperity.

About this time Malhar Rao Gaekwar of Baroda had been deposed for maladministration of the State, and the offer was made to Madhav Rao of the post of Administrator of the State, which he accepted. Baroda was then in a very perilous condition. Treachery, murder and rioting were rampant everywhere. There was discord among the people, life and property were unsafe, and a strong man was needed to restore peace and order. The monopoly of collecting State revenues was vested in big *Sardars*[2]. Money-lenders tyrannized over the people with the aid of the police. The State was brimming over with intrigue and conspiracy, and there was no end of lawlessness. But Sir Madhav Rao was not discouraged. He conducted the administration ably. Troublesome intriguers were banished from the State. The *Sardars* and the *Sahukars*[3] were deprived of their monopolies, and the State revenue was placed on a sound footing. The land revenue sepoys were withdrawn and assigned civil duties. The courts of law were reorganised to ensure justice. Libraries were opened. Efficient men were called in from Bombay and Madras and the standards of the services raised. The narrow lanes in Baroda were demolished and burnt down so that beautiful buildings could take their place. Gardens were laid out and a museum was constructed. In this way, he went on for years without any respite, introducing one reform after another. In 1882 the British Government conferred upon him the title of Raja. In appreciation of his services the Maharaja Gaekwar gave him a gift of three lakhs of rupees. From then on he lived in retirement as a private citizen.

[1] An erstwhile Princely State, now merged in Madhya Pradesh

[2] Chieftains, big landlords

[3] Money-lenders

Even during his retirement he did public work whenever the occasion demanded. He devoted a great deal of attention to education and pleaded for women's education. He was in correspondence with Prince Bismarck of Germany. His career was considered illustrious not only in India, but in Europe also. India has known few such administrators. This illustrious son of India breathed his last on April 4, 1891, at the age of 62.

[From Gujarati]

Indian Opinion, 21-10-1905

126. ADDRESS TO PROFESSOR PARMANAND

JOHANNESBURG,
October 27, 1905[1]

TO
PROFESSOR PARMANAND, M.A., ETC.
JOHANNESBURG

DEAR SIR,

We, the undersigned, on behalf of the Reception Committee, hereby extend to you a hearty welcome to Johannesburg.

You, Sir, belong to a band of self-sacrificing workers whom the Arya Samaj has given to India. You, in common with your fellow-workers, have given your lifetime to the cause of Religion and Education. We, therefore, feel honoured in honouring you.

We hope that your brief visit to South Africa will result in the Arya Samaj deciding to send some self-sacrificing educationists to work among the Indians in South Africa. Proper education is one of the greatest wants of the Indian community in South Africa.

We hope that you will enjoy your stay among us and carry with you pleasant recollections.

We remain, dear Sir,
Yours faithfully,

M. S. PILLAY, V. M. MUDLIAR
CHAIRMAN,
MULJI PATEL, N. V. PILLAY,
G. A. DESAI, N. A. NAIDOO,
B. DAYALJI, S. A. MUDLIAR,
C. P. LUCHERAM, S. P. PATHER,
V. G. MAHARAJ, M. A. PADIACHY,
C. KEVALRAM, TRIKAMDAS BROS.,
M. K. GANDHI

Indian Opinion, 4-11-1905

[1] It is reported in *Indian Opinion*, 4-11-1905, that the address was presented at a meeting on October 28, when Prof. Parmanand delivered the first of his lectures. Gandhiji was present and interpreted the Chairman's speech.

127. HISTORY OF THE PLAGUE IN JOHANNESBURG

The long-promised report of the bubonic plague that broke out in Johannesburg last year is now published. It is a bulky volume covering one hundred and three pages, and containing many charts giving a graphic report of the epidemic. Dr. Pakes, the author of the report, has given an immense amount of labour to the work, and has presented to the public a very learned disquisition. The most interesting part of the report must necessarily be the origin of the plague, and while, if the premises laid down by Dr. Pakes were correct, the conclusions drawn by him would be justified, we fear that many of his most important premises are totally incorrect.

It is, perhaps, extremely unfortunate that a proper judicial inquiry was not made as to the origin of the plague before so much valuable time and money were spent over the report. In giving the startling reason that Dr. Pakes has done, he has run counter to the findings of the Vienna Commission, as also the Commission that was appointed by the Natal Government when the plague first broke out in Natal, as also, indeed, to the cablegram that was received by the late Mr. Escombe from the Indian Government. Dr. Pakes contends that " the origin of the first cases was the plague-infected rice imported from Bombay ". The authorities we have just quoted came to the conclusion that rice was not a carrier of plague infection. Amongst the premises that have led Dr. Pakes to his conclusion are that the first cases were those of store-keepers, that the Indian store-keepers were importing rice from Bombay in December 1903, that they said very definitely "this rice contained rat-droppings ", and that no special precautions were taken at Bombay to prevent the export of probably and possibly infected rice.

Now, unfortunately for Dr. Pakes' theory, all these premises are without foundation. The very first mistake that has been committed in drawing up the report is to accept only the official date of the outbreak, and to ignore the whole of the previously known history. It was then contended, indeed proved beyond doubt, that plague had existed in Johannesburg before the 18th March. In spite of the correspondence[1] that was brought to the notice of the plague authorities in their official capacity, Dr. Pakes has seen fit to ignore the whole of it in his report. He has also ignored the case of the late Dr. Marais, which points unmistakably to the existence of the plague long before he himself succumbed to it. The theory, therefore, that the plague started with store-keepers falls to the ground. Nay, more, the two names given by Dr. Pakes as those of store-keepers were not those of store-keepers at all, as we happen to know.

[1] *Vide* Vol. IV, pp. 129-31, 133 and 149.

The first cases, taking the outbreak as from the 18th March, were amongst the labourers who came from the mines.

We should very much like to know where the information, that rice was being imported from Bombay, comes from. As a rule, rice is not imported from Bombay but from Calcutta, and, even when it does come from Bombay, the bags are made up in Calcutta. It is a serious reflection upon the Indian Government to state that no special precautions are taken at Bombay to prevent the export of probably and possibly infected rice. Those who know anything of Indian travelling know that precautions taken at Bombay are very severe. Therefore, all the material premises leading to the conclusion that Dr. Pakes has arrived at are not, in our opinion, capable of being proved. How is it, again, that Johannesburg had remained free from the plague in spite of rice having been imported by Indians before also ? For it is not to be contended that rice was for the first time introduced into Johannesburg in 1904. What the real cause of the epidemic was will probably never be known, but so long as it is not found, so long will measures to prevent an outbreak fail. We do not suggest that there will be a recurrence in Johannesburg, for the plague epidemic, in an altitude so high as that of Johannesburg, is hardly possible, except under the most aggravating circumstances. In spite of his usual fairness, we fear that Dr. Pakes has failed to do justice in entirely ignoring the Herculean efforts that were made by the Indian community to prevent an outbreak of plague by placing at the disposal of the authorities all the information of suspected cases, as also warning them of the state of the Location after it passed into the hands of the Municipality. We feel that Dr. Pakes has shirked the real issue by giving extracts from the evidence of Dr. Porter before the Insanitary Area Commission in his work as to the then state of the Indian Location. The measures that were taken to eradicate the outbreak are all accurately described in the report in question, and they reflect very high credit on the worthy Doctor and his assistants. The manner in which the Location and the Johannesburg Market were dealt with was worthy of very high praise, and it was no doubt due to the energetic action taken by Dr. Pakes and his able assistant, Dr. Mackenzie, that the disease was so promptly stamped out.

Indian Opinion, 28-10-1905

128. A CORRECTION

The Potchefstroom Budget has noticed our remarks on Lord Selborne's speech wherein His Excellency has promised in his official capacity that no Indians except those who were here before the war will be admitted into the Transvaal until the introduction of representative government. Our contemporary says :

> This is a new phase of the 'grievances', and is evidently the initiation of a policy which will do much to alienate the sympathy that has been extended

> to the Indians already here by the moderate section of the white population. If they are wise they will refrain, in their own interests, from forcing us to believe that, after all, their ultimate aim is to make the Transvaal a dumping ground for thousands of Indian subjects. *Indian Opinion* talks glibly about an attempt to drive every Indian out of the Colony. As far as the Potchefstroom policy is concerned, this is absolutely untrue, because it has been amply proved that the desire of the people of this district is to show the utmost consideration to the Indians holding vested rights by reason of their old established businesses. When, however, we are asked to tolerate an importation that will tend only to perpetuate an undoubted evil, the spirit of moderation will, we fear, be eliminated.

We are quite at a loss to perceive how the importation of a few necessary clerks can be "making the Transvaal a dumping ground for thousands of Indian subjects", but it is perhaps too much to expect the *Budget* to view the Asiatic question with even a modicum of common sense. The justice of our remarks is, surely, self-evident. The entire shutting out of new Indians would mean the ultimate driving out of most Indians from that Colony; and, however desirable such a consummation may be to a section of the Transvaal population, we can scarcely be expected to view the matter in quite the same light. We make bold to say that there is absolutely nothing in our remarks to justify the inference above mentioned. We have never advocated that the Transvaal should be made a dumping ground for Indians. But we do maintain that, if elementary justice is to be done, Indians already residing in the Transvaal ought to be allowed to draw upon India for a necessary supply of clerks and such assistants, whether they are old residents of the Transvaal or not. These men can only number a very few per year. Our contemporary may not know that such facility is given even in the self-governing Colonies of the Cape and Natal, where also there are restriction laws. We have no hesitation in saying that to deny the right of Indian merchants to depend upon India for necessary skilled assistance is undoubtedly to contemplate slow starvation of the already resident Indian population. The position we have laid down is by no means novel. We refer the *Budget* to Lord Milner's despatch wherein he has most clearly laid down that Indians of education, means and ability should not be prevented from entering the Transvaal, whether they be new immigrants or not.

Indian Opinion, 28-10-1905

129. THE NELSON CENTENARY : A LESSON[1]

Horatio Nelson was the name that last week resounded from one end of the Empire to the other. The celebrations that took place on the 21st day of this month suggest very serious reflections, and to the Indian mind they should vividly show the secret of Britain's success. Max Müller has acknowledged in his writings that in Indian philosophy the meaning

[1] This was published as "By an Indian".

of life is summed up in four letters spelt—DUTY. Probably at the present day such a meaning of life is not apparent in the conduct of the average Indian. A contemplation of Lord Nelson's life, then, presents in a most striking manner an illustration of duty lived from first to last.

The historic signal " England expects that every man will do his duty " is enshrined in the British heart. The signal was sanctified by the unflinching performance of its author, and has been hallowed by a century of its translation into deeds. The measure of England's success is the measure of her people's acceptance of Nelson's signal in the conduct of their own lives. If the sun never sets on the Empire, of which Nelson was one of the founders, it is because her sons have hitherto followed the path of duty.

Nelson is worshipped today as no other man is worshipped in the Empire, not because he was a naval hero, not because he was a man who never received an answer to his question as to what fear was,[1] but because he was a living embodiment of duty. To him his country was first — he himself was last. He fought because that was his duty. No wonder that his men followed where he led them. He it was who made England Mistress of the Seas. But he was much more. There was no self-interest in his service. His patriotism was of the purest type.

In a continent like South Africa, where there are constant deflections from the straight path shown by Nelson, it is well to remind ourselves of a life like his. It ought to sober down prejudices. It ought to set us all thinking more of our responsibility than of our rights. To the Indian especially, if the somewhat disagreeable life in South Africa embitters him against the Englishman who judges him harshly, the events of the past week should reassure him that they are still countrymen of Nelson's, and that they cannot quite forsake the path of duty so long as they cherish Horatio Nelson's memory. Herein there is reason for hope and an incentive to love Britain in spite of the faults of Britishers.

Indian Opinion, 28-10-1905

130. DEALERS' LICENSES ACT

Last week we related the sad story of the hardships and indignities showered on Mr. Dada Osman.[2] It is necessary to consider from time to time how to protect ourselves against such a downpour. The whites have fully girded up their loins. No wonder if the tyranny let loose in Vryheid today is repeated in another village tomorrow. No Indian trader can for a moment confidently say that his licence will be renewed from year to year. We have shown elsewhere how influential white men like Dr. Campbell[3] have been doggedly pursuing us with cudgels in their hands.

[1] *Vide* "How England Won", p. 116-8.

[2] *Vide* p. 104.

[3] Dr. S. G. Campbell, a leader of the Europeans in Natal

If we sit back at such a time, we shall be washed away by the flood. To wake up when it is too late would be like digging a well after the house has caught fire. The Indian traders, whether big or small, should immediately make it public whenever they encounter any difficulty in obtaining their licences. It is the duty of the Congress to appoint a special Licences Committee to investigate cases in which traders are deprived of their licences. It should be the duty of such a Committee to go from village to village and record such cases. We believe that this journal reaches and is read in every village. We can cope with the work properly only if the following details are sent to us regarding persons who have been unable to get their licences :

1. the name of the person who has been refused a licence;
2. the place for which the licence was sought;
3. whether or not the person carried on trade before;
4. if he did, where;
5. whether the shop is owned by him or taken out on rent;
6. whether the structure is built of brick or tin : if possible, a pencil sketch should be attached;
7. the amount of the capital declared;
8. the arrangements for keeping account books;
9. whether there are any white merchants' shops in the vicinity; if there are, how distant;
10. the number of Indian traders in the village;
11. the reason given by the Licensing Officer for refusing a licence;
12. whether an appeal was preferred to the Local Board against the decision of the Licensing Officer;
13. all relevant originals or copies of documents, such as the application, the reply received, etc. to be enclosed;
14. if any certificates from well-known Europeans are available, these also should be sent;
15. all these documents should be sent in an envelope addressed to the Gujarati Editor, *Indian Opinion*, Phœnix, with the superscription " Regarding Licences " in a corner, in Gujarati.

If well-known people carefully send the above information from various places, we believe much good will come out of it. This work can be very easily done without money or labour. We intend to use the information in our English columns as well as in our communications to the Government in the matter.

[From Gujarati]

Indian Opinion, 28-10-1905

131. BRAVE BENGAL

Bengal seems to have truly woken up this time. News is received every week that the more the Government is adamant on partitioning Bengal, the more determined the Bengalis are in their opposition. On the very day[1] the Government installed with great pomp and ceremony the new Governor at Dacca, the Bengalis observed *hartal*[2] in Calcutta and held a mammoth meeting attended by 100,000 men and laid the foundation stone of the Federation Hall, thus demonstrating their solidarity. The movement to buy and use only *swadeshi* goods is rapidly gathering strength.

[From Gujarati]

Indian Opinion, 28-10-1905

132. OUR DUTY

It has come to our knowledge that some Indians are offended by our article on the plague. We are sorry, but not surprised. We should rather be complimented on drawing attention to the subject, but we are being blamed because we do not hesitate to mention others' faults. Thanks to the plague, many villages in India have been laid waste, numerous families entirely wiped out, and people are running in fright from one place to another. Wherever there has been plague outside India, our people have largely been responsible for importing it, and its quick eradication from those parts has been due to the fact that the task of combating it is generally in the hands of other people. What is the duty of the Press, that is, our duty, on such an occasion ? We could easily win the applause of the people by suppressing their faults. But we would fail utterly in our duty if we did so. Our duty is to serve the people. While championing their rights, if we happen to observe any of their shortcomings, we must bring these to their notice. If instead of doing so we went on flattering them, we would be playing the part of an enemy. As we said at the very outset, we shall boldly defend our people if our opponents speak ill of them; but at the same time, if we notice any shortcomings in our people, we shall fearlessly expose them to the public gaze and urge their removal. Who will do this if we don't ? We have never cherished, nor do we do so now, the idea of doing anything simply to please others. It is our duty to administer the bitter pill. It is quite obvious that, when plague breaks out amongst us, it

1 October 16, 1905

2 General strike

clearly leads to loss of life; more than that, it means a blow to the whole community. We must not forget how the entire community was affected when plague broke out in Durban, Cape Town and Johannesburg.[1] The easiest way to deal with plague is to notify a case as soon as it occurs. When plague broke out in Bombay for the first time in 1896, neither the people nor the doctors did anything to suppress it. If the necessary steps had been taken in time, it is possible that hundreds of thousands of lives that were lost might have been saved. Plague can be rooted out even now if people are properly educated in this matter. There are certain reasons why this has not been possible in India. The people there are poor and ignorant, but here they are not. The people who travel five thousand miles, live amidst unfriendly folk and earn their bread cannot by any means be considered ignorant. If, living in this country, we do not learn how to deal with this contagious disease, we have only our obstinacy to thank. It is, we believe, the supreme duty of those who are in a position to offer guidance in such matters to enlighten people and lead them along the right path. We say this without the least fear; for whatever we have written so far will have been in vain if we try to flatter our readers out of fear. We have been repeatedly telling people to stick to their resolve, to remain courteous under all circumstances, and to discharge their duties courageously. We are publishing the biographical sketches of brave men and women like Sir Henry Lawrence and Elizabeth Fry and exhorting our readers to follow the examples of those heroic souls. In the end, we appeal to all our readers to take our writings in the spirit in which they are written. It is possible that we might unwittingly commit mistakes in the course of our public service. We shall be grateful if those who notice any such draw our attention to them.

[From Gujarati]
Indian Opinion, 28-10-1905

133. AUSTRALIA AND JAPAN

The Government of Australia seem to have realized the strength of Japan. A Government communique recently issued says that students and traders from Japan, going on a tour of that country, will be freely admitted. They have also declared their intention so to amend their Immigration Law as not to hurt the feelings of Japan. This might benefit Indians too. So far and wide have the roots of Japanese victory spread that we cannot now visualize all the fruit it will put forth. The people of the East seem to be waking up from their lethargy.

[From Gujarati]
Indian Opinion, 28-10-1905

[1] *Vide* Vol. III, pp. 58-62 and 362.

134. AN ABLE INDIAN

The Daily Mail, a well-known English paper, has narrated a story of great loyalty shown by an Indian in India. He was a surveyor named Khan Bahadur Mohiuddin. It fell to his lot in 1903 to survey arid waste land in Rajputana. He had with him four messengers, four assistant surveyors and two camels. Once, travelling at night, they found their water-bag burst and all the water drained. The messengers advised return, but brave Mohiuddin was not the man to turn back. He sent one of the messengers in search of water, which was fetched but was found to be exceedingly brackish. Marching on they came upon some water which, however, soon gave out. The Khan Bahadur had by then become absorbed in deep thought. The camel-drivers were tied to the camels, and the animals allowed to go as they pleased, for meanwhile the men had fainted, owing to thirst. At last they came to a watering-place and regained consciousness. When in search of water thus, Mohiuddin strayed from his men, and ultimately, lost his life while doing his duty. However, infected with his enthusiasm, the men bravely completed the task. We rarely come across examples of such bravery and devotion to duty. The Khan Bahadur's body was given an honourable burial and his companions, who survived him, were handsomely rewarded by the Government.

[From Gujarati]

Indian Opinion, 28-10-1905

135. HOW ENGLAND WON

"What is fear ? I've never seen it." The boy who asked this question of his grandmother has made England a world power.

We must often wonder why the British rule over us. Perhaps we often look upon them with hatred. We feel how nice it would be if India were independent.

An answer to such questions and aspirations was had last week.

Horatio Nelson died on October 21, 1805. His death centenary was celebrated on the 21st of this month wherever the Union Jack flies. He was born on September 29, 1758. This means that at the time of his death he was only 47. Few men in the world have done what Nelson did while yet so young; rare was the daring he showed and the tasks he performed. Togo[1] is said to have done something similar for Japan. But his victories being very recent, their consequences are not yet apparent. Our minds are not yet calm, and we cannot therefore appreciate them correctly.

[1] Admiral leading the Japanese fleet that defeated the Russians in the Russo-Japanese War, 1905. *Vide* Vol. IV, pp. 466-7.

"What is fear?" Nelson asked the question of his grandmother when he was hardly twelve. The grandmother could give no reply, and all his life he knew no fear. At twelve he began going out to sea and doing brave deeds such as few men could do.

In 1789 the Revolution broke out in France. Napoleon Bonaparte came to the fore. He was determined to conquer all Europe. And he would have done it too, it is said, but for Nelson. In fact England alone remained unconquered. Napoleon told his Captains: "Hold the English Channel clear for me only for six hours, and I will conquer England." But Nelson foiled his hopes. A fierce battle ensued between the French and the English navies. In the three great engagements that took place, Nelson successively lost an arm, an eye and, finally, his life.

The biggest of these was the Battle of Trafalgar.[1] If England sustained a defeat this time, she would lose prestige. Nelson was well aware of this and had made the necessary preparations. The officers and men under him all but worshipped him. There was not a danger that he had not himself braved. When in the Battle of the Nile[2] he lost an arm, Nelson busied himself with caring for the wounded utterly regardless of his own pain. So daring was he. He was determined not to own defeat as long as a single British sailor was alive. His army was inspired by the same spirit. In his flagship, *The Invincible*, he roared like a lion. The crucial battle was fought on October 19. Nelson unfurled his flag and sent round the word: "England expects every man will do his duty." A French ship and Nelson's ship fell upon each other; there was a torrent of cannon fire; Nelson was wounded. He had himself carried to his cabin. He covered his badges, etc., with his hands so that no one should know that it was Nelson who had been wounded. The battle continued. In spite of unbearable pain, he went on issuing orders. He was informed that the French were losing one ship after another and England was winning. Thus, doing his duty, he breathed his last with the words: "Thank God! I have done my duty".

Since then the English navy has remained supreme. Napoleon's hopes were shattered, and the English grew in strength. Though no more, Nelson is immortal. All his deeds and sayings are deeply engraved in the hearts of the English people, and even today they sing his praise. During the celebrations last week, it seemed as if Nelson had risen from his grave after a hundred years.

It is no wonder that a nation that produces such heroes and cherishes their memory with such care, rises high and enjoys prosperity.

We should not envy the nation, but emulate its example. Those who have faith in God recognize that the British do not rule over India without His will. This too is a divine law that those who rule do so because of the good deeds they have done before. Let us therefore emu-

[1] In which the French fleet was destroyed and Nelson killed, 1805

[2] 1798, when Nelson defeated the French

late them in their deeds so that our aspirations may be fulfilled.

Let us be as courageous as Nelson and like him know what our duty is. Let us also be patriotic like the nation to which Nelson belonged. Let us forget all thoughts of 'I a Hindu, you a Muslim;' or 'I a Gujarati, you a Madrasi.' Let us sink "I" and "mine" in a common Indian nationality. We shall be free only when a large number of our people are determined to swim or sink together. How can we walk without a staff so long as we are lame ?

[From Gujarati]

Indian Opinion, 28-10-1905

136. THE EVILS OF TEA

The Southwark Council in England has had an inquiry made into the benefits or otherwise of tea. We give below some of the notable facts collected.

The Chinese began taking tea in the ninth century and have done so ever since. Tea was first introduced into England in 1660. By the eighteenth century it had spread all over the country, and at the turn of that century, twenty million pounds of tea were imported into England every year. In the first decade of the nineteenth century, the *per-capita* [annual consumption of tea in England was a pound and a half, but during the last decade, the consumption has increased so much that it now comes to six pounds.

The first to raise his voice against tea was the famous John Wesley. He was a very great religious preacher. He was subject to fits of giddiness; but he did not suspect that it was due to tea, because everyone thought it wholly beneficial. Once, all of a sudden, he swooned and fell down and then resolved to give up tea; his giddiness ceased. Sir Andrew Clarke, a famous doctor, has said that tea weakens the nerves. Thousands of women in England, it is reported, have been suffering for years; they have headaches, they have cramps in their legs and suffer from giddiness—all this is mainly ascribed to the tea habit. The officer in charge of the Southwark inquiry says that tea becomes all the more injurious if it is boiled. It is best of course to do without it; but if the habit cannot be given up, the best way of making tea is to pour boiling water over the tea leaves, and immediately pour it out into a cup. The brew should not at all be red, it should rather be the colour of hay.

Among us the custom of taking tea is of recent origin. In India, there is no need for it, but if, in imitation of the whites, people do want to have some drink, they should instead drink coffee or cocoa which are less harmful.

[From Gujarati]

Indian Opinion, 28-10-1905

137. SIR THOMAS MUNRO

Sir Thomas Munro was born at Glasgow in the month of May, 1761. In 1780, he took service under the East India Company at Madras. At that time, the condition of the British in India was very precarious. Hyder Ali was preparing to oust them. The English employees of the Company were quarrelling among themselves. At this juncture, Munro rendered valuable service.

After he had been engaged for five years in military campaigns, he took up a civil post. He was appointed in the Revenue Department in Berhampur Taluk. Like Sir Henry Lawrence, he also took full advantage of this opportunity, and lived among the people. He was available to them at all times. He used to go out for walks with them, and listened to the long tales of the poor peasants, their joys and sorrows. He used to talk with the people unaccompanied by any clerk or peon, and lived a very simple life. In one of his letters, he says : "Today I made my porridge from wheat flour instead of oat meal, and tomorrow also, I do not think I shall take anything besides plantains. I am at present continuously touring village after village, fixing the land revenue to be collected from the ryots. I cannot think of doing anything else. I do not get even an hour's respite for personal work. Even as I am writing this, there are a dozen persons sitting beside me. They started coming in at seven in the morning. It is now twelve." In this way, Munro worked for seven years in the districts, pleased the people and at the same time put Government revenue on a sound basis. It was now that he was entrusted with an even more responsible job. He was placed in charge of the Kanara Taluk. Though the climate of the place was very bad, he worked without any respite for 26 months out of a sense of duty. Every day he spent as many as ten hours listening to the people's grievances. He says how, living in a small tent, in the midst of the people, he could win their hearts more easily than by living in a fine bungalow by the seaside, and how they were becoming loyal subjects. His bed consisted of a bamboo cot, a mattress and a pillow. As soon as he got up in the morning, he came out and was occupied in talking to the groups of people that were always there waiting for him. After breakfast, he issued instructions to the men under him and attended to the correspondence. Then he went to the office. He had tiffin at five in the afternoon, and again he resumed work at eight o'clock, the discussions, at times, going on till midnight. After he had dispensed peace and happiness to the people in the Kanara Taluk, he was given a more important post in the Nizam's territory. The people there had been reduced to utter poverty by famines in previous years. Brigandage and robbery were rampant, and bad characters had become all powerful. By his courage and determination Munro raised the state to prosperity.

Having served thus for twenty-seven years, Munro went home on leave. In England he got married. He returned to India as Chairman of the Commission appointed to inquire into the working of the Judicial Department of Madras Presidency. He gave effective expression to his sympathy for the Indians, and recommended that they should be appointed to higher posts in the Judicial Department. The work of the Commission was interrupted by the Maratha War of 1817, in which he became absorbed. Though the army under him was untrained and inadequate, it was wholly loyal to him, thanks to his popularity with the people. Munro became so engrossed in the War, and underwent so much physical strain that his health broke down, and on the termination of the war in 1819, he went back to England. In 1820 he was knighted and again came out to India as Governor of Madras. He held this post till the very end of his life. Even when he was Governor, he worked as hard and lived as simply as before. He went out for walks alone and saw any one who sought an interview. Whenever there was an opportunity, he appointed or promoted Indians to responsible posts. This kind-hearted Governor died of cholera in 1827. He was never motivated by self interest. He was always keen on finding out what his duty was and how he could discharge it. He had boundless love for Indians. He fully deserved the title " Friend of the Ryot ". There have been such simple and kind-hearted Englishmen in the past, and some are to be found even now. That is why, despite many blemishes, the star of British rule keeps on shining bright.

[From Gujarati]

Indian Opinion, 28-10-1905

138. A PAINFUL DISCOVERY

The Prisons Reform Commission gives rise to many misgivings as to the condition of indentured Indians on some of the estates in Natal. At Verulam recently, according to a Reuter telegram published in the *Transvaal Leader*, evidence was given by gaol officials to the effect that it is customary with certain estates employing large numbers of Indians to get their coolies, when ill, convicted of some minor offence in order that they may be cured of their sickness at the expense of the Government and returned fit for work. Had such a charge been made by an outsider, he would undoubtedly have been hooted out of court, so inhuman and unbelievable does it appear at first sight. We ourselves are loth to credit it but those who have given the testimony must have spoken with a full sense of responsibility, and we may assume that they have rather understated than overstated facts. The matter is too serious to be left where it is. And it is a serious thing also that the public of Natal should get the first news of so grave an allegation from outside its borders. We believe the Natal Press has been wholly silent on this matter, though *The Natal*

Mercury noticed in an editorial note the shocking state of the Verulam gaol. We must be content to wait the usual length of time for the publication of the Report before we can know exactly what the evidence was.

We have said we cannot bring ourselves to believe that the charge can be generally sustained, but while thinking it somewhat improbable, we cannot forget the hideous things that were brought to light by a Commission on the treatment of indentured Indians in British Guiana about forty years ago. Then, things far more inhuman and unbelievable were proved to have occurred, and not in isolated instances. The treatment of sick Indians especially was peculiarly bad, and that in spite of excellent laws for their protection. This can be to some extent understood when it is remembered that a sick indentured Indian is a dead weight on his employer. It is to be hoped that the estate-owners will themselves insist on a thorough investigation for the sake of their fair name. It is not right that the misdeeds of one or two — if the charge be proven — should reflect on others whose aim it is to treat their indentured and helpless employees not only with justice but with something more.

Indian Opinion, 4-11-1905

139. DIVIDE AND RULE

The title of this article is a maxim as old as the hills, and the policy underlying the maxim was enunciated by a British statesman in connection with British rule in India. The cablegram from India that has appeared lately in the newspapers brings the aphorism vividly home to us. It is said that twenty thousand Mahomedans at Dacca, the capital of the new province partitioned from Bengal, assembled together and offered prayers of thanksgiving to the Almighty for the partition, and their consequent deliverance from Hindu oppression. We cannot bring ourselves to believe that the movement could possibly be spontaneous. It is absurd on the face of it. Assuming that there was any oppression on the part of the Hindus, relief could be obtained without partition, because the might of the British power was there to protect one community against another. It is, therefore, we consider, a response to the very powerful agitation that has been set up in Bengal against partition. The boycott has spread with an intensity never known before. It has permeated classes as well as masses, and, if it is nursed long enough, it bids fair to weld together all the communities in Bengal, not excluding the Mahomedans. Those, therefore, who believe in the maxim above quoted, naturally wanted an antidote and they have found it amongst a few Mahomedans in Dacca. It is short-sighted statesmanship to contemplate the government of millions of human beings on the principle of setting one class against another. We know that such a suggestion would be vehemently repudiated, and we know also that pure British statesmanship would revolt against the idea. At the

same time, the policy itself is deep rooted, has been followed before with temporary effect, and the *tamasha*[1] in Dacca is but a continuation of it. If the Anglo-Indian administrators, who have really built up the Indian Empire, and who depended for its continuance on the goodwill of the people, were to rise from their graves today, they, in our opinion, would be the first to encourage the boycott agitation, at the same time, conciliating public opinion, which has become so excited. What can be more natural than for the people to wish to clothe themselves, to feed themselves, and to supply their luxuries out of home-grown products and home manufactures ? We see such movements worked out more extensively in many Colonies. It is a legitimate and healthy growth amongst the people, not in the slightest degree inconsistent with a feeling of loyalty to the British Crown. It is only a fulfilment of the prophecy uttered by Macaulay in connection with India.

But, if the rulers of India will not see the reasonableness of the movement, why should not the Indians ? It is true that, to a certain extent, the introduction of British rule was possible by reason of internal dissensions but it is the peculiar province, as also the privilege, of Great Britain to bring together the two great communities in India, and to leave to them an heritage for which she would receive not only the gratitude of the millions in India, but the unstinted admiration of the whole world. It behoves, then, both communities to seize the opportunity offered to them, and to sink material[2] jealousies and dissensions for their common good. Better far, that two brothers should suffer at the hands of each other, than that a third party should step into the breach and gain an advantage over them. We would ask those who see these lines, no matter who they be, to join with us in the prayer that the present agitation in Bengal, which has in it the germs of the unification of the different communities, may grow in strength, and that the people of Dacca or elsewhere, whether Hindus or Mahomedans, may have the good sense to refrain from doing anything that may mar the glorious possibilities that are opened up to the people of India.

Indian Opinion, 4-11-1905

[1] Farcical show

[2] This is obviously a misprint for "mutual".

140. DADA OSMAN'S APPEAL

The Vryheid Herald, after quoting our remarks on this appeal[1], goes on to say that it is not a question of whether

> Dada Osman is entitled to a licence, it is a question of whether he is entitled to trade in any part of the town. Although Dada Osman held a licence for a few years, it did not give him a vested right to remain in the town for ever. Prior to 1886, when a number of Indians entered the Transvaal, they were granted licences on condition that they only traded in locations and in places allotted to them by the Government, and this was only a question of whether Dada Osman should go into a location.

Our contemporary then goes on to say that this is not a question of white and brown. Our remarks have been called an error. Unfortunately for our contemporary, we have to use the same expression for its remarks quoted above. The question whether Mr. Dada Osman was entitled to a licence or to trade is beside the issue, and a distinction has been drawn without any difference. The fact is that the decision of the Board ruins Mr. Dada Osman, and this was the burden of our remarks. That the applicant had no "vested right" in the legal sense of the term shows the strength of our contention that the British constitution, at times, is so full of weaknesses that it enthrones injustice and strengthens it, as in this case. To an ordinary man, the deprivation of a man's right to trade without any compensation, after he has been so engaged for several years, is very much akin to robbery, which is miscalled law when it is done under cover of a statute. We join issue with our contemporary when it says that it is only a question of whether Dada Osman should go into a Location. We venture to inform our contemporary that Law 3 of 1885, dealing with Locations, has been interpreted by the Supreme Court of the Transvaal to mean that it does not require British Indians to trade in Locations. In the Transvaal, an Indian has the right to trade anywhere he chooses, and he can demand a licence against tender of money. Vryheid has taken over the Transvaal laws including the Indian laws, and it has to abide by them. Had it not been, therefore, for the Dealers' Licences Act of Natal, Mr. Dada Osman would today be trading in the town of Vryheid. It is the Licences Act which has been put into operation against him, and which has enabled the rival traders thus to set aside all ideas of justice and to ruin a poor man because, we repeat, "he wears a brown skin". Did not the Licensing Officer also give as his reason for refusal that he did not want to see the conditions of Dundee reproduced in Vryheid? In other words, he did not wish to see so many Asiatic traders in the town of Vryheid as there were in the town of Dundee.

Indian Opinion, 4-11-1905

[1] *Vide* p. 104.

141. LORD METCALFE

Liberator of the Indian Press

"The right to rule belongs to the ruler only if he works for the happiness of the ruled." Charles Theophilus Metcalfe, who uttered these words and acted up to them, was born in Calcutta on January 30, 1785. After receiving an indifferent sort of education in England he gave up his studies at the early age of fifteen and [came to] Calcutta the following year. In those days the East India Company was very strict in selecting its employees, and inexperienced youths without proper education were not admitted to its service. Metcalfe was therefore obliged to enter the college at Calcutta. Thus, after receiving education for some time, Metcalfe was appointed to a subordinate post. At nineteen, he became Head Clerk to General Lake. General Lake and the officers under him were annoyed to find the young man in the civil department. Metcalfe took the hint and made up his mind to prove his valour in war. He took the lead in storming the fort of Dig[1] and put in such excellent work that General Lake became greatly pleased with him. Three years later Metcalfe was assigned a very responsible piece of work. The French were conspiring with Maharaja Ranjit Singh in the Punjab. Metcalfe was entrusted with the task of thwarting their designs and it was through his efforts that a treaty was signed between the British Government and Ranjit Singh. Lord Minto was so pleased with Metcalfe's achievement that he appointed him Resident in Delhi when he was only twenty-six.

Here he began to interest himself in public welfare. He placed the landholders' rights on a firm basis. This is what he wrote about it:

> The settlement of land revenue should be fixed for a long period, so that the landlords can make large profits and feel grateful to us. In place of the fear that their land might be taken away from them any time, we should create in them the confidence that nobody would deprive them of their land. If we do so, the people will be pleased, and will begin to consider our rule beneficial and in their own interest. There are some who fear that, if people become free and independent, British rule will be in danger. Even granting that this is probable, how can we deprive the ryots of their rights? How can liberal rulers attach any weight to such an argument? The kingdom of man is controlled by the kingdom of God. The Almighty can bestow a kingdom in a moment and take it back in another. Man's ingenuity avails not before His command. The duty of the rulers, therefore, is only to advance the well-being of their subjects. If we but discharge this duty, our Indian subjects will be grateful to us, and the world will for ever sing our praises. What if in future a rebellion should break out as a result of such a policy? Well, if out of the base fear of a future danger we should oppress the subjects, we shall deserve the attacks that may be made against us. And, when we are driven to such a position, the world will scorn us, will spit upon us and call us all sorts of names.

[1] A fort near Agra; the original has "Lig".

Sympathizing with the ryots in their woes, young Metcalfe wrote such noble words. Metcalfe was later appointed Resident at the Nizam's Court. The Nizam's Government was at that time in great financial difficulty. Some crafty but powerful Englishmen had lent him large sums on interest. Metcalfe was much pained to learn of this. Without caring for what the Governor-General might think, he did his duty and got rid of the crafty men. In 1827 Metcalfe became a member of the Viceroy's Executive Council at Calcutta. The good Lord William Bentinck was the Viceroy then. When Bentinck was obliged for reasons of health to proceed suddenly to England, Metcalfe was appointed in his place as Acting Governor-General. At this time he did the greatest deed of his life. He enacted the famous law giving freedom to the Indian Press, which displeased his masters—the Board of Directors. But Metcalfe did not care. When prominent Englishmen opposed him, he made the following reply:

> If the argument of my opponents be that the spread of knowledge may be harmful to our rule in India, I say that, whatever be the consequences, it is our duty to educate the people. If British rule can be preserved only by keeping the people in ignorance, our rule then would be a curse on the country and ought to come to an end. But I personally think that we have much more to fear if the people remain ignorant. The spread of knowledge, I hope, will remove their superstitions, will enable them to appreciate the benefits of our government, will promote the goodwill between the rulers and the ruled and will eliminate the differences and disunity amongst the Indians themselves. We, however, do not know what the will of the Almighty is in respect of the future of India. Our duty clearly is to execute the work entrusted to us for the good of the people.

Metcalfe, thereafter, was appointed Governor-General of Canada. There he fell seriously ill, but disregarding his illness went on doing his duty till the last. He was a deeply religious man. Having served the Queen loyally and won the love of the people, he died in 1840.

[From Gujarati]

Indian Opinion, 4-11-1905

142. LETTER TO CHHAGANLAL GANDHI

[JOHANNESBURG,]
November 6, 1905

MY DEAR CHHAGANLAL,

Your letter to hand. I am returning the letter addressed to Revashankar. I shall ask Abhechand to take the papers back. He has gone to Pretoria.

You have done well in writing about Kitchin. Your argument is not wrong. The facilities we have provided him are, generally speaking, too many. The money is being paid to him not for his proficiency but because of my folly; and because there was no other way of correcting my mistake. I did allow him to leave; but he pleaded with me that he

was not in a position to do any other work, since he could not start work afresh in Johannesburg. Indubitably, he did wind up the big business he had. Under these circumstances, I could not bring myself to discharge him. So the best way I could find was to give him as much in salary as would meet his normal expenses. However, either of us is free to terminate the arrangement by giving a month's notice. It means that, if the condition of the press gets worse and it does not show any income, I can dispense with his services at a month's notice. Even if the condition improves, there is no stipulation about paying him more than £10, nor is it necessary. There is, therefore, no reason to believe that he will always draw the same salary. We need not suppose that he and Polak will not be able to pull on together when the latter comes. If they cannot, Kitchin will have to leave. Polak will take at least two and a half years to go to Phœnix; it is, therefore, unnecessary for the present to think of that far-off eventuality. I envisage the possibility of a great change in our condition during that period. There was no other alternative when we gave Kitchin a house and land. His heart is in Phœnix. He no doubt likes the life there. Please do not hesitate when you have to do something for him. We have to take into consideration the virtues of a man; we cannot bother ourselves about his drawbacks. We have to be satisfied if, by putting ourselves out, others can be made happy or can benefit. There is no difficulty in giving two acres of land to any of you who wants it, that is, yourself, West, Bean or Anandlal. I think I have already explained this to you. Polak also has asked for two acres. This much I believe: if Kitchin stays, his nature will change and he will do his work well. If, on the other hand, his nature does not improve, he will give in of his own accord. Do ask for further clarification, if you need it. Always write to me unhesitatingly.

Gokuldas is good by nature; but he has become very selfish and narrow-minded because of his upbringing in the country. He seems to be prejudiced against you. In spite of my repeated attempts to persuade him I find that the idea that "maternal uncle is crazy" is deep-rooted in his mind due to the arrogant impetuosity of youth. His mind is set more on making money. We have to be very careful and see that his leanings become pure. You may watch him and guide him. I believe he will put in hard work. He will not take anything from the press at present; at the same time, he will not work the whole day. I have told him that he is still a student and has to behave accordingly. He will, therefore, work for some time in the press, some time on the land and the rest he will devote to studies. It is necessary for him to have a good knowledge of Gujarati, English and Tamil. I have asked him to start with composing Tamil matter in the press. I shall write a letter about this to Pillay also. You may come, if possible, during Christmas, after Gokuldas arrives there and has become conversant with the work.

How is West doing the job-work? Does he feel uncomfortable or is he cheerful? Who are doing the composing work for the newspaper?

How does Virji behave? Write to me about everybody there. How is Bean doing? What is the position of the books now? How about Anandlal? I have written to him also about Gokuldas. I still feel that it will be better if you three brothers live together. But if there is even the least possibility of bitterness resulting from doing so, you have not to act on my suggestions. Gokuldas, of course, will stay with you.

Is Orchard still there in the house or has he left?

I have sent the Tamil material, but I find that there will be some difficulty for me in the matter. I saw that the man who did the translation has very little knowledge of the language. He felt very diffident and said that it would be better if I did not entrust the work to him. It will be quite enough if Gokuldas and Pillay understand it even after a strenuous effort. Gokuldas has learnt a little. The English matter that I send from here will merely have to be translated there. Consult Pillay about this. Who has written for this week's issue?

Does Hemchand give you satisfaction or not? Does he go out for the collection of dues? Train him well.

What has happened to Ramnath? I had written a letter to Ajodha.

Has Jayashanker been able to procure any assistant or does he have the same difficulty still? Give Bean whatever miscellaneous things he wants. Send Moon's report when you get it. Who is to sow the land that has been ploughed? Does the leakage in the roof continue or has it stopped?

Let me know if the shifting of the office to Mercury Lane has affected the flow of work. Do the whites come in greater numbers?

Blessings from
MOHANDAS

[PS.]

Govindji says that he is not getting the paper regularly.

I sent more Gujarati matter yesterday.

Do see what is written on the back of the first four sheets also.

From a photostat of the original Gujarati: S. N. 4262

143. CABLE TO KING-EMPEROR[1]

[JOHANNESBURG,
Before *November 9, 1905*]

BRITISH INDIANS, TRANSVAAL, TENDER TO HIS GRACIOUS MAJESTY HUMBLE CONGRATULATIONS ON HIS SIXTY-FIFTH BIRTHDAY.

Indian Opinion, 11-11-1905

[1] The cable was sent by the Transvaal British Indian Association through the Colonial Secretary.

144. LONG LIVE THE KING-EMPEROR

Thursday, the 9th instant, was the sixty-fifth birthday of His Majesty the King-Emperor. Loyal congratulations were offered from all parts of his vast dominions. No monarch of modern times has commanded the admiration and love of his subjects as King Edward has. When he ascended the throne, his position was a most difficult one, since he had to succeed Victoria the Good; but, during the short space that he has occupied his supreme position, he has carried out the traditions left by that noble lady, and has shown that, even in a country constitutionally governed, the King has many opportunities of serving his subjects, in a way possible only to one who, like His Majesty, combines a real appreciation of the dignity of his exalted station with a more than ordinary ability. By his sound judgment and tact, he has materially assisted in promoting the world's peace, and the prosperity of the British Empire. He has endeared himself to his subjects the world over because, being lord of all, he has made himself the servant of all. In the whole history of the world, no throne has been so firmly established in the hearts of the people as that of the King-Emperor today. That he may live long to add lustre to that throne is the earnest prayer of British Indians, the humblest of his subjects but not the least in loyalty and devotion.

Indian Opinion, 11-11-1905

145. AN INDIAN DELEGATION TO ENGLAND

The general election for the Imperial Parliament is now pending. It may come upon us any day. Mr. Chamberlain has expressed his opinion that the sooner it comes, the better. The most interesting feature to an Indian is the delegation that has gone to England, on behalf of India, to plead the Indian cause before the British electorate. Some knowledge about those who compose the delegation and its purpose may not be out of place even for our European readers in South Africa.

The Honourable Professor Gokhale and Mr. Lajpat Rai[1] are in London as the delegates sent by the National Congress, and towering above the two is Mr. Dadabhai Naoroji, the Grand Old Man of India. He is not sent specially, but he is there living a life of self-imposed exile, a life of self-sacrifice extending over an unbroken period of half a century. Of him, Mr. Gokhale has said:

> What a life it has been! Its sweet purity, its simplicity, its gentle forbearance, its noble self-denial, its abounding love, its strenuous pursuit of high aims —

1 (1865-1928), known as the "Lion of the Punjab", was deported by the British Government in 1907 and lived for some years in the U.S.A; President of the Congress session at Calcutta in 1920. Sustained injuries at the hands of the police during the boycott of the Simon Commission and succumbed to them.

as one contemplates these one feels as though one stood in a higher presence. Surely there must be hope for a people that could produce such a man, even if, as Mr. Ranade[1] once said, he be only one in three hundred millions.

Such is the towering personality of Dadabhai, who is always in London to counsel Indian patriots and guide them by his advice.

In Mr. Gokhale, yet quite young, is centred the hope of India. He has won many laurels, and has many more to win. Young as he is, he has made for himself a name in the Imperial Legislative Council at Calcutta. Even those who differ from him have to acknowledge his patriotism and earnest eloquence. He is not to be matched in mastery of figures, and he has sanctified a life of love by a free gift of his services to the Fergusson College at Poona for twenty years.

Mr. Lajpat Rai, from the Punjab, is no less noble in mind. He is the recognised leader of the Punjab. He has been devoting his earnings and his energy to the promotion of the work of the Arya Samaj, which has been recently made familiar to our readers.[2] Hardly had he finished the self-imposed work of relieving the distress in the Kangra District, owing to the terrible earthquake, than, at the call of duty, he left for England. As the Honourable Mr. Gokhale could not join him in England in time, he went over to America, and popularized traditions of India to the great American people. This is what the *Boston Transcript* says of him:

> It is not many weeks since Colonel Younghusband declared in London that, in all that relates to the spiritual and intellectual life, we Anglo-Saxons are to sit as learners at the feet of the Hindus and other Orientals. They have for ages cultivated, and still cultivate, as the highest and most important of human interests, that which we leave to an hour or so of quiet once a week in a church. The handsome and accomplished young Hindu, Mr. Rai...how magnificent is the beauty and vitality of a high-class Hindu...the delegate from the Indian National Congress, who spoke twice here this week, is on his way to England.

Such leaders, then, are at present in England to plead for India. They are there to tell the British electorate that India needs better representation and better service at the hands of the rulers. In the words of Mr. Schwann, M. P., the delegates are charged

> with the task of voicing the hopes, the fears, the aspirations, and the desires for reform of the Indian people. There was a desire among the Indian people for better education, for a land settlement varying with the varying needs of different parts of India, and for more self-government, because the people whom Mr. Gokhale represented thought that many of the Indian people were quite qualified to take part in their own government.

The delegation and many other things, which are at present happening in India, are unmistakable signs of the times. The Colonial statesmen may not misinterpret them or ignore them. If they would seek the protection of the British flag, they must count upon India as an integral

[1] Judge of the Bombay High Court and social reformer, whom Gokhale regarded as his teacher. *Vide* Vol. II, p. 379.

[2] Prof. Parmanand's lectures on the subject were reported in the *Indian Opinion* issues of November 4, 11 and 18, 1905.

part of the Empire, and, as such, entitled to every consideration. It will very largely depend upon the spirit that guides British, Colonial and Indian statesmen, whether the Empire is to remain firmly knit together, or whether it is to suffer disintegration owing to conflicting interests.

Indian Opinion, 11-11-1905

146. IMMIGRATION ACT OF NATAL

We draw the attention of Mr. Harry Smith, the Principal Immigration Restriction Officer, to a free translation we have given in another column of hardships that Indian passengers are alleged to have had to undergo on board the s. s. *Somali*. If the allegations[1] are at all true, they show a very serious state of affairs. The passenger who has made the complaint which is before us has signed it, and he was severely cross-examined before we decided to take it and give it publication. We are aware that Mr. Harry Smith is just as eager as we are to avoid any unnecessary hardships to the passengers who may be affected by the Immigration Act. We, therefore, feel certain that we have only to draw his attention to this complaint to insure a thorough investigation. We might mention that this is not the first occasion on which we have received complaints of this nature, but hitherto we have not thought fit to publish them or to do anything more than suggest to the complainants to forward their complaints to the proper quarters; but the facts that have come to us this time have been so well and earnestly put that we consider it to be our duty to draw public attention to them. We shall be happy to give an equally prominent publication to anything that the Immigration authorities may have to say either in contradiction, explanation, or justification.

Indian Opinion, 11-11-1905

147. RED TAPE

The Natal Mercury has rendered a public service in publishing correspondence which throws a great deal of light on the working of the Immigration Restriction Act. It appears that a well-educated Indian, Mr. E. Vaz, was, on the 30th September last, on going to see a friend off by one of the German steamers, prevented from going to the steamer. The friend also, whom Mr. Vaz was to see off, although he produced his second-class ticket, was not allowed to board the steamer. Both of them were, it is complained, roughly handled by the constable on duty. Mr. Vaz thereupon wrote to the Superintendent of Water Police, who told him

1 Twenty-seven persons who had reached Natal Port on October 25, were detained on board in an ill-ventilated hold for three days, most of them without food or water. *Vide* "Treatment of Indians at the Point", p 135.

that the constable was carrying out his instructions. He then approached the Colonial Office, and the Colonial Office, too, returned the same stereotyped answer, adding that instructions were from the Immigration Restriction Department. Mr. Vaz then applied to the Principal Immigration Restriction Officer, who put the finishing touch by declining to inform Mr. Vaz of the instructions, saying: "I do not feel called upon to answer inquiries from outside as to inter-departmental arrangements." Rough treatment is not denied. The action of the constable is throughout upheld, and when the public want to know what regulations there are which they have to obey, they are told it is not their business! This is a new method of administration. Hitherto, the people who have to obey laws have been acquainted with the nature of such laws, but now the Government has decided that the Immigration Department is to work its regulations in secrecy, and to expect the public, who are affected thereby, to guess what they are likely to be and obey them. We mention the Government specially, because Mr. Harry Smith has evidently written under inspiration. So far as we know, he has never withheld information from the public. What advantage the Government wishes to gain by keeping its precious regulations secret we do not know, but we do know that the action of the constable was undoubtedly illegal, and the attempt made by the Government to bolster up an illegality by withholding information from the complainant is, to say the least of it, highly un-British.

We congratulate our contemporary on having given publicity to what is nothing short of a scandal, and, what is more, for dealing with it strongly in an editorial note.

Indian Opinion, 11-11-1905

148. RUSSIA AND INDIA

The present unrest in Russia has a great lesson for us. The Czar of Russia[1] today wields the most autocratic power in the world. The people of Russia suffer numerous hardships. The poor are crushed by the weight of taxes; the soldiers put down the people, who have to submit to all the whims of the Czar. Intoxicated with power, the officers do not care for the welfare of the people. Their only function, they think, is to add to their own power and wealth. Entirely against the people's will, the Czar declared war against Japan,[2] causing a river of blood of Russian soldiers to flow. The wealth acquired by the sweat of thousands of labourers was thrown into the sea of Japan.

The Russian people have suffered all this for years, but they have now reached the limit of their patience. They have struggled hard to end this tyranny, but in vain. They rose in rebellion and killed the Czars, but

[1] Czar Nicholas II, (1868-1918), came to the throne in 1894.

[2] The Russo-Japanese War was declared in February 1904; the Russians were defeated and peace was signed on September 5, 1905.

they could not secure justice. This time they have found another remedy which, though very simple, is more powerful than rebellion and murder. The Russian workers and all the other servants declared a general strike and stopped all work. They left their jobs and informed the Czar that, unless justice was done, they would not resume work. What was there even the Czar could do against this? It was quite impossible to exact work from people by force. It is not within the power of even the Czar of Russia to force strikers to return at the point of the bayonet. The Czar has therefore proclaimed to the people that they will be granted a share in government and that he will not make any laws without their consent. It is difficult to say what the ultimate result of this will be; but even if the Czar does not keep his word, it will not prove that the course adopted by the people was wrong. It will only show that the people were not firm enough in applying the remedy. For even the most powerful cannot rule without the co-operation of the ruled. If the Russian people succeed, this revolution[1] in Russia will be regarded as the greatest victory, the greatest event of the present century.

In the caption to this article we have put Russia and India together. We have therefore to justify it by showing how India is concerned with the events in Russia. There is much similarity between the governance of India and that of Russia. The power of the Viceroy is no way less than that of the Czar. Just as the people of Russia pay taxes, so also do we; just as the Russian taxpayer has no control over the use of the money thus raised, so also the Indians have none; as in Russia, so in India, the military is all-powerful. The only difference is that the power of the state is rather more brusquely exercised in Russia than in India. We, too, can resort to the Russian remedy against tyranny. The movement in Bengal for the use of *swadeshi* goods is much like the Russian movement. Our shackles will break this very day, if the people of India become united and patient, love their country, and think of the well-being of their motherland disregarding their self-interest. The governance of India is possible only because there exist people who serve. We also can show the same strength that the Russian people have done.

[From Gujarati]

Indian Opinion, 11-11-1905

149. SIR T. MUTTUSWAMI AIYAR, K. C. I. E.

Sir T. Muttuswami Aiyar was born in a poor family at Tanjore on January 28, 1832. Having lost his father at a very early age, Muttuswami had to earn his own living. He therefore took up the job of a village clerk on one rupee a month. This went on till 1846. During this time, a gentleman named Muttuswami Naicker was struck by the boy's intel-

[1] The revolution of 1905 which Lenin later described as a rehearsal for the 1917 Revolution.

ligence and industry. Once it happened that Naicker received news of the river embankment near a village having given way. He sent for his clerk, but the latter being absent, the boy Muttuswami answered the call. Asked by Naicker to make inquiries about the mishap, Muttuswami went round the whole place and brought all the news. Mr. Naicker did not quite believe him, but, being in a hurry, he passed on the boy's report. Later, Mr. Naicker was much pleased to know that the facts collected by Muttuswami were quite accurate.

Not being satisfied with the kind of life he was leading, Muttuswami resolved to rise higher and started going to school whenever he could find the time. Mr. Naicker, who noticed this, kept him for 18 months in a Mission school at Negapatam, and then sent him to a High School in Madras. He also gave him a letter of recommendation to Raja Sir T. Madhav Rao. Muttuswami made daily progress in his studies. Mr. Powell, who was then the Headmaster of the School, saw Muttuswami's merit, and gave him special attention. In 1854, Muttuswami wrote an English essay, which won him a prize of Rs. 500. After he had finished his studies at the High School, he was appointed a teacher on Rs. 60 a month. He rose by stages till he became a responsible education officer. The Government had meanwhile instituted an examination for the Pleader's *Sanad*[1]. Muttuswami prepared for the examination, and stood first in it. In those days the judges used to go on tour from time to time in order to inspect the work of the *munsiffs*.[2] Once Judge Beauchamp[3] went there on a surprise visit. He was so pleased to see Muttuswami's work that he remarked, "Muttuswami deserves to take a seat by my side". Muttuswami's ability proved to be so outstanding that he was later appointed a Magistrate in Madras. Judge Holloway was much pleased with him. He advised him to pursue his legal studies further, and he did so. As an aid to this study, he learnt German also. He had a very independent mind. An Indian once lodged a complaint against a High Court judge, charging him with assault. Muttuswami, without any hesitation, issued a summons to the judge. The Chief Magistrate suggested that the judge need not be obliged to appear in person. But Muttuswami paid no heed. The judge had to appear before him and was fined Rs. 3. Later, Muttuswami became a judge of the Small Causes Court. In 1878, he was awarded a C. I. E. and made a High Court judge. He was the first Indian to be appointed to that office. His judgments were so sound and carried such authority that to this day, it is said, they can hold their own against those of the best English judges. The famous Mr. Whitley Stokes says that he has seen few judgments that can compare with those of Muttuswami Aiyar and Syed Mahmud. His work was so exceptional in every way that he was made Chief Justice in 1893. Worn out by hard work, Muttuswami died in 1895.

[1] Licence to practise

[2] Judges of subordinate courts

[3] Civil judge, Tanjore at the time

Not only was Sir Muttuswami foremost in the field of law, he also took the greatest possible interest in promoting the welfare of the Indian people. From time to time he spoke on such subjects as child marriage, widow re-marriage and foreign travel, and encouraged reformers. He was very kind and simple, always wore *swadeshi* clothes and was a sincere devotee of God. His bright career lent lustre to the entire Presidency of Madras.

[From Gujarati]

Indian Opinion, 11-11-1905

150. AN INDIAN VOLUNTEER CORPS

Last week we reproduced, from *The Natal Witness*, some questions and answers at a political meeting in Newcastle with reference to the liability of Indians to serve during the time of war.

> Mr. Thorold urged that some arrangement should be made whereby the Arabs and Indians should be called upon to assist in case of the calling out of the first line of defence. It would be manifestly unfair to allow the Arabs to sit in their stores and to do business while the Europeans were fighting at the front.

Had Mr. Thorold known the inner working of the Government, he would not have made the remarks attributed to him. The Government simply *do not wish* to give the Indians an opportunity of showing that they are as capable, as any other community, of taking their share in the defence of the Colony. At the time of the Boer War, it will be remembered, the Indians volunteered to do any work that might be entrusted to them, and it was with the greatest difficulty that they could get their services accepted even for ambulance work.[1] General Buller has certified as to what kind of work the Natal Indian Volunteer Ambulance Corps did. If the Government only realised what reserve force is being wasted, they would make use of it and give Indians the opportunity of a thorough training for actual warfare. There is, too, on the Statute-book, a law for the purpose, which has been allowed to fall into desuetude from sheer prejudice. We believe a very fine volunteer corps could be formed from Colonial-born Indians that would be second to none in Natal in smartness and efficiency, not only in peace but in actual service also.

Indian Opinion, 18-11-1905

[1] *Vide* Vol. III, p. 129.

151. TREATMENT OF INDIANS AT THE POINT

We referred last week to the ill-treatment to which some of the Indian passengers[1] on board the *Somali* are said to have been submitted on their arrival in the Natal harbour. We have received corroboration of the fact from another correspondent, who writes to us in Gujarati, to the following effect :

> Those who did not have the Transvaal permits, but were Transvaal refugees, and those who did not possess the Natal passes, were put to much inconvenience. They were locked up for three days in the steamer-hold. They were not able to provide themselves with any food. The third day Mr. Hassim Juma, a merchant of Durban, engaged a solicitor and was successful in getting about five [persons] landed. When Mr. Hassim Juma himself went to deposit bail, it was not accepted. It was only after the intervention of a solicitor that, with great difficulty, they were landed. The passengers who were not able to land at Delagoa Bay were also kept under lock, and were not allowed to cook their food.

We draw Mr. Harry Smith's attention to the above version. If it be true, it is too painful for words, and if it be true that visiting passes were only allowed on the intervention of a legal gentleman, it is very evident that something is rotten in the state of Denmark. As it is, the poor Indians have, in order to make their claims good, either for residing or remaining temporarily in the Colony, to undergo a great deal of trouble and expense. We do not complain of a reasonable enforcement of the Immigration Restriction Act, but we do think that those who are entitled to land in the Colony, or those who should be given every facility for passing through Natal to a neighbouring Colony, ought not to be put to the expense of having to engage a solicitor for mere matters of form.

Indian Opinion, 18-11-1905

152. JOHANNESBURG LOCATION

The Johannesburg Town Council has resolved that the Kaffirs living near the Malay Location will be shifted to Klipspruit on the first of April next year. Now Klipspruit is thirteen miles away from Johannesburg. We wonder how the Kaffirs will manage to live at such a distance. The Council also contemplates opening an Indian Bazaar near the Kaffir Location at Klipspruit and expects to do this as soon as it gets the necessary powers to do so.

A move to acquire the Malay Location is already afoot. This should forewarn the Indians. The best course is for all Indians to arrange for adequate accommodation within Johannesburg itself. We believe, however, that it will take the Council some time yet to acquire the Malay

[1] *Vide* "Immigration Act of Natal", p. 130.

Location, and that there is no likelihood of any new legislation affecting Indians being passed before June next.

[From Gujarati]

Indian Opinion, 18-11-1905

153. INSTRUCTIONS REGARDING PERMITS TO TRANSVAAL INDIANS

We learn that the applicants for permits are no longer required — as they were for some time past — to furnish names of Europeans for reference. It is now enough — as it used to be formerly — to mention only Indians as witnesses. Hitherto the Indian witnesses were not called in for verification, but henceforth they will be required to tender oral evidence. We would, therefore, urge that great care should be taken in submitting names.

Regarding permits to children also, a clarification appears to have been made. According to this, permits will be issued to those under 16 years whose parents are in the Transvaal. Printed forms prescribed for this purpose will have to be filled in by the father or the guardian.

[From Gujarati]

Indian Opinion, 18-11-1905

154. JAPAN AND THE BRITISH COLONIES

The British Government finds itself in an embarrassing position in its relations with Japan. It has entered into a treaty with Japan, and has recognized Japan as a major power. The treaty shows that Japan has the same status as England. The English regard Admiral Togo as an equal of Nelson. They welcome and honour all Japanese subjects visiting England.

While this is the situation in England, the New Zealand Premier, Mr. Seddon, says that his country is not at all concerned with the treaty between England and Japan and that he will not allow any Japanese subject to enter New Zealand.

In Western Australia, there are the same rigorous laws against Japanese subjects as against other Asiatic peoples. This has hurt Japan's feelings. The Japanese Ambassador has sent a note, demanding repeal of these laws. The Colonial Secretary, Mr. Lyttelton, has written to the Australian Government that the laws should be changed. The West Australia Minister has replied saying that the laws would be so amended that they do not hurt Japan's dignity, but that in effect they would remain unaltered. This means that the same bitter pill will now be administered to Japan with a coating of sugar.

What will England do in these circumstances? If the Colonies go on acting in contravention of the policy of England, the latter will either have to give up the Colonies or allow herself to be dragged along and change her own policy.

What applies to Japan applies equally to India also. All the more so, because India, being a part of the British Empire, has a better claim.

[From Gujarati]

Indian Opinion, 18-11-1905

155. THE CAPE IMMIGRATION LAW

The Cape Immigration Law is becoming increasingly rigorous. Hitherto restrictions had been in force only against people coming by sea. They will henceforward apply to any one entering through the Transvaal as well. The Cape *Gazette* publishes Regulations to the effect that a person going to the Cape through the Transvaal should possess evidence of Cape domicile. If he fails to establish his right to enter the Cape, he will be deported and will have to pay the Cape Government the cost thereof. The Cape authorities have therefore[1] notified that those wanting to go to the Cape should first obtain passes. One has to face many difficulties in getting such passes in the Cape, for it is very difficult to establish one's Cape domicile if one has no land or children in the Colony. In fact, such a man does not get a pass at all.

It is very necessary that the British Indian League should take action in the matter; otherwise, the Cape persecution will go on increasing daily. The Cape offers facilities for putting up a fight such as no other Colony does. These, we trust, the British Indian League will put to the best use.

[From Gujarati]

Indian Opinion, 18-11-1905

156. MOUNTSTUART ELPHINSTONE

The Elphinstones are a well-known family in Scotland. Towards the end of the eighteenth century, a scion of this family, Mountstuart Elphinstone, landed at Calcutta as an employee of the East India Company, at the early age of sixteen. Political disturbances were frequent in India. The country was in the grip of one such in 1796. Vazir Ali, the deposed Nawab of Ayodhya, was under surveillance at Benares. He attacked the Benares Residency. The English judge of Benares defended himself with a spear until relief arrived. Elphinstone, who was there at the time, also bravely defended himself. In 1800, there was trouble near Poona, and

[1] The Gujarati original however, has another word, meaning "alone", perhaps a misprint for another meaning "therefore".

Elphinstone was posted there. By this time, he had acquired a good knowledge of languages, and had pleased General Wellesley[1] by his valour in war. He was then appointed Resident at Nagpur, where he pursued his studies further. In 1809, Elphinstone was deputed to the court of the Amir of Kabul. And since that time the British have been pampering the Amir out of fear. Obsessed with the fear of an attack on India through Kabul, the British Government spent money like water to ward off an imaginary danger. It was because of the same fear that Elphinstone was sent to Kabul to enter into an agreement with the Amir. But he had to return empty-handed. Anyone else in Elphinstone's place would not have taken interest in a task not assigned to him, and he could not have been found fault with. The work that a man does out of love for it, without caring for reward, is generally of a superior quality than that done merely for wages. Such was the case with Elphinstone. What did it matter if he could not checkmate the Amir of Kabul? He utilized his time in other ways while in Afghanistan. He gathered plenty of information regarding places and people there and made it available for the benefit of the British. And though he had to return unsuccessful from Afghanistan, his reputation was enhanced. In 1811, Elphinstone was appointed Resident at Poona. At the time the Pindaris[2] were harassing the poor people; the Scindia, the Holkar and others were eager to attack the British. The Peshwa of Poona was with the British, but he was very weak. Trimbakji, his agent, was an intriguer. He had been imprisoned against the Peshwa's will for his atrocious misdeeds. He escaped from prison and went into hiding. Elphinstone came to know that the Peshwa himself was conspiring against the British. Though his means of defence were meagre, Elphinstone was not unnerved. Even when he came to know of the developments, he remained serene and unperturbed and no one knew of the preparations he was making. At last, the Peshwa launched an open attack. His army fell on the British camp, but was routed by Elphinstone with a handful of his men. Meanwhile, General Smith had come to his rescue. Peshwa Bajirao was completely defeated, and the British annexed Poona and pensioned off Bajirao. The famous Canning described Elphinstone's gallantry at the time in these words: 'Elphinstone is a civil officer. We do not expect our civil servants to show courage in war. Our fighting men are always at their command. But Elphinstone has proved during the war with the Peshwa that he is a soldier who would shine among our soldiers. That he is foremost in civil work is known to all.'

After the war with Bajirao was over, Elphinstone had the more difficult task of governing the people. The English rulers of the time cherished very kind feelings for the people. Before introducing new laws, they used to consider the kind of administration the people were accustomed to and

[1] Afterwards, Duke of Wellington

[2] Mounted marauders during the 17th and 18th centuries

what laws would satisfy them. Elphinstone, too, did the same. He took care to see that the ancient Maratha families were preserved, and their *jagirs*[1] kept intact. With this end in view, he created the State of Satara for the descendants of Shivaji, which pleased the Marathas very much. He tried to ascertain popular feeling and took care not to hurt it.

This man of gentle qualities was appointed Governor of Bombay in 1819, and he captured the hearts of the people. He gave his best attention to education. He may be regarded as the first to realize that the foremost duty of the British Government in India was to educate the people. The present Elphinstone College in Bombay was founded in memory of this popular Governor. He introduced many reforms in the Judicial Department also. Thus, he ruled over Bombay for eight years as Governor. When he relinquished charge of his post, every community did him great honour. He spent the rest of his life in England, where he wrote a history of India, a work admired to this day. He was twice offered the Governor-Generalship of India, but on both occasions he declined it for reasons of health. This great man died at the age of 81, on December 21, 1859.

[From Gujarati]
Indian Opinion, 18-11-1905

157. TELEGRAM TO SIR ARTHUR LAWLEY

[JOHANNESBURG,
After *November 24, 1905*][2]

BRITISH INDIAN ASSOCIATION TENDER CONGRATULATIONS TO HIS EXCELLENCY ON APPOINTMENT TO GOVERNORSHIP OF MADRAS.

Indian Opinion, 2-12-1905

158. THE POLL-TAX

It would be unwise for us to give publicity to the complaints that have come to us from hundreds of Indians in connection with the imposition of the poll-tax. Personally, we consider that every good citizen should share the troubles that the Colony is passing through, and one of the best and most practical methods of doing so is to contribute specially to the Colonial revenue. The Government has seen fit to pass the poll-tax measure, and everyone, no matter to what community he belongs, should bow to it and pay the toll with what cheerfulness he can. It is not a matter for mathematical calculation and of considering the question of poor people having to pay the same as the rich man. A poll-tax has always been an unpopular measure and, in its incidence, it

[1] Principalities or landholdings granted by the State
[2] Sir Arthur Lawley was appointed Governor of Madras on November 24, 1905.

falls very heavily upon the poorest members of the community. It is by no means a new thing or a new experience in South Africa, but was an annual contribution exacted in the Transvaal, though not very rigorously, even when the country was at the height of its prosperity.

In a time of depression such as the present, when work is scarce and ready money scarcer, it is no small thing for a poor working man with a wife and family to give even a single sovereign in one lump sum. It is obviously the poorer classes only that feel the burden of a poll-tax. There are thousands of Indians to whom the sum of one pound is no small matter. Take, for instance, the case of those who have just become free from indenture, and have chosen to settle in the Colony. As the price for permission to remain in the Colony, they, including their children, have to pay an annual tax of £3 each, and they would now be called upon to pay an additional £1. On the face of it, therefore, to exact contribution from such men would be highly unjust. The position of many small Indian farmers would be almost the same. They have to toil hard and long for their daily bread. To dignify them by the name farmers is, in fact, totally wrong, for, as a matter of fact, they are labourers pure and simple. It has often [been] argued that the Indian does not contribute sufficient[ly] to the revenue of the Colony. Those who have said so have advanced the argument in a thoughtless manner. No country in the world taxes labour, for labour itself is a contribution of the very best kind. It is upon labour that the prosperity of a country depends.

There is no doubt that the poll-tax is calculated mostly to affect the natives of the soil and Indians. Our Transvaal contemporaries have seen the point without any difficulty. The Europeans have been brought in order to give the measure an appearance of being general legislation, but we have no desire to look at it from that point of view. The measure has been passed, and though we cannot congratulate the Government upon it any more than it can congratulate itself, we all have to bow to the decision. At the same time, we commend to the earnest attention of the authorities and the public generally the special article on the poll-tax published in this issue.[1]

But whatever may have been the intentions of the legislators, it is not for us to complain, though, in our opinion, this conception of the measure, as also the facts we have shown above, prove unmistakably that the Government will have to use a large amount of discretion in excusing from payment those who really cannot afford to pay. For that reason, it is very necessary that the rules already published for collecting the tax should be revised, and the collectors given the authority, at their discretion, to excuse the poorest in the community from payment. The collecting of such a tax is, undoubtedly, a matter of mutual understanding between the Government and the communities affected thereby; otherwise, as one of the expressive Native speakers said at the meeting recently

[1] Not reproduced here

held by the Chief Magistrate, "The Government will have to line the roads of the Colony with gaols for the accommodation of the defaulters."

Indian Opinion, 25-11-1905

159. MR. HARRY SMITH AND INDIANS

We published last week a letter from the Immigration Restriction Officer in reply to our editorial note[1] on the alleged ill-treatment of Indian passengers on board the *Somali*.

We are thankful to Mr. Smith for having given a prompt reply, but we must confess that it is disappointing. Evidently, the facts stated by our correspondent, and supported by another correspondent, are, in the main, true. Mr. Smith has divided our correspondent's complaints under six heads, three of which relate to arrangements on board the steamer, for which Mr. Smith refuses to accept any responsibility whatsoever, saying that it is the shipping company that is responsible as carriers. Technically, Mr. Smith is, no doubt, right, but as the Principal Officer responsible for the proper conduct of all who are affected by the Immigration Restriction Act, we venture to think that it is not possible for him thus to slur over what are, undoubtedly, hardships arising out of the enforcement of the Act. Indeed, if the argument advanced by Mr. Smith were to hold good, he might disclaim liability with reference to treatment under the other heads also, for he is certainly not required, according to the letter of the law, to see that the passengers, who may be cooped up by the steamship company in the hold, get proper food or are allowed to communicate with those on shore, because communications with the ship will be controlled by the shipowners; but, Mr. Smith has not seen fit to take up such an untenable position. The complaint has to be taken as a whole and treated as such, and, again it has to be treated, not in a cold-blooded manner, but in the humane, sympathetic spirit which we have almost invariably found in Mr. Smith. The letter, therefore, has come to us as a shock. We miss therein the humanity of the man, and find the cold-bloodedness of a calculating head of a department, which is not to be ruffled by any amount of human suffering. Law or no law, we claim from an official of Mr. Harry Smith's temperament a large measure of liberal treatment. Assuming, then, that the truth of the complaint is borne out, is it not possible for the Immigration Department to come to an understanding with the shipping companies (and such things have been done before now, in spite of their being unnecessary, according to the strict letter of law), whereby the inconvenience can be mitigated, if not entirely removed? After all, the passengers placed in the hold were mere suspects, many of them probably had the right to land in the Colony. Many of them had the right to receive a

[1] *Vide* "Immigration Act of Natal", p. 130.

safe passage through the Colony, and the Immigration Department was, therefore, intimately connected with their proper treatment whilst their cases awaited examination. There would have been nothing extraordinary if the passengers had been kept under surveillance in a different manner. Why, again, were they refused visiting passes on their asking, and had [they] to get the intervention of a lawyer? A merciful working of the law, we are free to admit, may entail a little more expense, exercise of extra patience and waste of valuable time, but we think that all this expenditure will be small, compared to the comfort which would thereby be secured for the passengers.

There is also a question raised, as a side issue, in Mr. Smith's letter, which requires prompt attention. There are evidently some departmental instructions given to the under-officials, of which the public have no knowledge. It would tend to a smooth working of the law, if the public were acquainted with these instructions, seeing that they are intimately related to them.

With reference to the last paragraph of Mr. Smith's letter, that the Immigration and Police Officers are as much amenable to law as anyone else, it is obvious that the average poor Indian immigrant can scarcely be expected to take these cases to court. The point is that it should be some one's duty to protect them against insult or unfair treatment. The sensitiveness of many Indians [is] affected by the Act we admit, but we are not surprised at it. That it sometimes unconsciously leads them into a kind of exaggeration is also probably true, but men placed in the same position that the Indians are in South Africa, have been known to go much further than the Indians have ever done or are likely to do. An officer who has continuously to discharge an irksome duty of restraining natural liberty is likely, by habit, to attribute as a vice that which is merely a most natural result of the working of the human mind under galling restraints, and it is as well even for the most discerning men to bear this in mind, if even a fair measure of justice is to be given to a people placed in the peculiar condition in which the Indians are.

Indian Opinion, 25-11-1905

160. *BADRUDDIN TYABJI*[1]

Badruddin Tyabji's is a famous name throughout India, particularly in the Bombay Presidency where he is known to all. He revealed his ability at a very early age and was a very good student at school. His career as a student was so bright that his elders decided to send him to England. Sir Pherozeshah[2] and Badruddin were of the same age and were contemporaries at school.

1 (1844-1906)

2 *Vide* Vol. I, p. 384.

Mr. Badruddin was perhaps the first Indian from the Bombay Presidency to go to England. He excelled in studies, won many laurels in England and then returned to Bombay. He earned a great reputation as an able barrister and was always compared to great English barristers. He successfully fought cases in which he had to confront the famous barristers Enstey and Inverarity. During the period of his practice at the Bar, there was hardly a big case in which he was not engaged by one or the other party. With his power of oratory and legal acumen, he pleased the judges and won over the members of the jury. He went many times to Kathiawar to fight big State cases, most of which he won. His greatest case was perhaps the defence of Nawabzada Nasuralla Khan. The Collector of Surat, Mr. Lely, had charged the Nawabzada with having offered him a bribe of Rs. 10,000. Mr. Lely gave very strong evidence in the case. Mr. Slater, the Chief Presidency Magistrate of Bombay, gave a harsh judgement, sentencing the Nawabzada to six months' imprisonment. Mr. Badruddin, who was engaged in the appeal against this judgement, argued the law points so ably that Justice Parson quashed the sentence pronounced on the Nawabzada by the lower court and passed severe strictures against Mr. Lely. Mr. Badruddin had, no doubt, won many cases before, but his fame spread all the more with this victory, which saved a member of a noble family from confinement and disgrace. Some time later the Government of Bombay offered Mr. Badruddin a seat on the High Court Bench, which he accepted. Though the judges' monthly salary was Rs. 3,750, Justice Badruddin was certainly a loser. His income from legal practice was, it is said, about Rs. 100,000 a year. His work as a judge is considered to be of a very high order. His judgments show independence of mind and give satisfaction to all the lawyers as well as the parties.

Just as Justice Tyabji has earned a name in scholarship and the legal profession, so has he won fame in public life too. He has done much for the spread of education in India, particularly among Muslims. He always encourages the education of women. His wife and daughters are all well educated. He has taken an active part in the politics of the country and has done much work in collaboration with Justice Ranade. He was a prominent worker of the Indian National Congress, and has also presided over it.[1] His presidential address was so good that it still ranks as one of the best speeches. Though he is now sitting on the Bench, he is as patriotic as ever. He takes interest in educational matters. By nature he is kind and humble. His knowledge of Hindustani is as profound as his knowledge of English. Few in the Bombay Presidency can match him in Urdu oratory.

[From Gujarati]

Indian Opinion, 25-11-1905

[1] In 1887, at Madras

161. DEPUTATION[1] TO LORD SELBORNE

Before presenting a statement on the position of British Indians in the Transvaal, Gandhiji addressed His Excellency as follows :

[JOHANNESBURG,]
November, 29, 1905

Before beginning to deal with the subject matter of this deputation, I have to tender our respectful thanks to Your Excellency for having spared the time amidst the many calls upon it to receive this deputation. As Your Excellency has personally interested yourself in every question submitted to you, it was felt that we should, instead of simply sending memorials, seek the opportunity of expressing our sentiments and feelings in a more tangible manner.

Before I deal with the statement I am to hand to Your Excellency, I have been asked to mention two matters that have occurred during your recent tour through the Transvaal. Your Excellency is reported to have said at Potchefstroom that "no non-refugee British Indians would be allowed to enter the Colony until the Representative Assembly has considered the question next year". If the report is correct, it would, as I hope to show this afternoon, be a very grave injustice to the vested rights of the Indian community. At Ermelo, Your Excellency is reported to have used the expression " coolie store-keepers". This expression has given very great offence to the British Indians in the Colony, but the British Indian Association has assured them that the expression has probably not been used by Your Excellency, or, if it has, Your Excellency is incapable of giving thereby any intentional offence to British Indian store-keepers. The use of the word "coolie" has caused a great deal of mischief in Natal. At one time, it became so serious that the then Justice Sir Walter Wragg had to intervene, and to put down the use of that expression in connection with any but indentured Indians, it having been even imported into the Court of Justice. As Your Excellency may be aware, it means "labourer" or "porter". Used, therefore, in connection with traders, it is not only offensive, but a contradiction in terms.

THE PEACE PRESERVATION ORDINANCE

Coming to the statement that the British Indian Association is submitting to Your Excellency, I would take first the Peace Preservation Ordinance. Soon after the Transvaal became part of the British Dominions, the services rendered during the war by the dhooly-bearers that came with Sir George White, and those rendered by the Indian Ambulance

[1] The deputation, which was led by Gandhiji, consisted of Messrs Abdul Gani, Chairman, British Indian Association; Haji Habib, Secretary, Pretoria Committee; E. S. Coovadia, Moonsamy Moonlight and Ayob Haji Beg Mahomed. It waited on Lord Selborne at 3 p.m. on November 29, 1905.

Corps in Natal, were on many people's lips. Sir George White spoke in glowing terms of the heroism of Prabhu Singh who, perched up in a tree, never once failed to ring the gong as a notice to the inhabitants each time the Boer gun was fired from the Umbulwana Hill. General Buller's despatches,[1] praising the work of the Corps, were just out, and the administration was in the hands of the military officers who knew the Indians. The first batch of refugees, therefore, who were waiting at the ports, entered the country without any difficulty, but the civilian population became alarmed, and called for the restriction of the entry of even the refugees. The result was that the country was dotted with Asiatic offices, and from that time up to today, the Indian community has known no rest; whereas aliens, in every sense of the term, as a rule got their permits at the ports on application there and then, the Indian, even though a refugee, had to write to the supervisors of Asiatics, who had to refer the applications to the Colonial Office before permits were issued. The process took a very long time, from two to six months, and even one year and more, and then, too, the Colonial Office had laid down a rule that only so many permits should be issued to British Indian refugees per week. The result of this mode of operation was that corruption became rampant, and there grew up a gang of permit-agents who simply fleeced innocent refugees; and it was a matter of notoriety that each refugee who wanted to enter the Transvaal had to spend from £15 to £30 and more. The matter came to the notice of the British Indian Association, repeated representations were made, and ultimately the Asiatic offices were wiped out. The mode of granting permits was, however, unfortunately still kept up, and the Chief Secretary for Permits has been always subject to instructions from the Colonial Office. Thus, the Peace Preservation Ordinance, which was intended to apply to dangerous characters and political offenders, under the influence of the Colonial Office, had become an Indian Immigration Restriction law, as it remains to this day. Under the present regime, too, therefore, it is a most difficult matter for even *bona-fide* refugees to get permits and it is only in rare cases that it is possible to get them, except after a delay of months. Everyone, no matter what his status may be, has to make an application on a special form, give two references, and put his thumb-impression upon the form. The matter is then investigated, and the permit is granted. As if this were not enough, owing to the charges made by Mr. Loveday and his friends, the Chief Secretary for Permits received instructions to insist on European references. This was tantamount to the denial of the right of British Indian refugees to enter the country. It would be hard to find twenty Indians who would be known to respectable Europeans by name as well as appearance. The British Indian Association had to correspond with the Government and, in the meantime, the issue of permits

[1] According to Sir Redvers Henry Buller, after the British repulse at Spion Kop, during the Boer War, the Indian Ambulance Corps volunteers had worked within the firing line, though not bound to take the risk. *Vide* Vol. III, pp. 221-2.

was suspended, and it has been only lately realised that the insisting upon European references was a serious injustice.

The Entry of Children

But still the difficulties, apart from the necessity for European references, are there. Male children, under 16 years of age, are now called upon to take out permits before they can enter the Colony, so that it has been not an uncommon experience for little children of 10 years of age and under to be torn away from their parents at the border towns. Why such a rule has been imposed we fail to understand.

THE HIGH COMMISSIONER : Have you ever known a case where the parents have stated beforehand that they have children and which children have been refused permission to come in ?

MR. GANDHI: Yes; and the parents have been obliged to make affidavits before the children have been allowed to come in.

If the parents have the right to enter, so far as I am aware, every civilised country has admitted the right of minor children also to enter with them and, in any case, children under 16 years, if they cannot prove that their parents are dead or that their parents have been resident in the Transvaal before the war, are not allowed to enter or remain in the Colony. This is a very serious matter. As Your Excellency is aware, the "joint-family" system prevails all over India. Brothers and sisters and their children live under the same roof from generation to generation, and the eldest member in the family is nominally, as well as in reality, the supporter and the bread-earner. There is, therefore, nothing unusual in Indians bringing the children of their relatives into the country, and it is submitted that it will be a very serious injustice if such children, who have hitherto been left unmolested, are either deported from the Colony or are prevented from entering the Colony. The Government, again, intend to require the female relatives of resident Indians also to be registered in the same manner as the males. The British Indian Association has sent an emphatic protest against any such measure, and has even submitted that it would be prepared to fight the question in a court of law, as, according to the advice given to it, wives of resident Indians are not required to take out registration certificates and pay £3.

The Entry of Special Clerks, etc.

No new permits are granted by the Government, no matter how necessary it may be in certain cases. We were all extremely pleased to read in the papers Your Excellency's emphatic declaration that the vested interests of the Indians who are already settled in the country should not be disturbed or touched. There are merchants who have constantly to draw upon India for confidential clerks, in order to enable them to carry on their business. It is not easy to pick out reliable men from the resident population. That is the experience of merchants all over, and belonging to all communities. If, therefore, new Indians are absolutely

shut out of the country until the establishment of Representative Government, it will seriously interfere with these vested interests; and, in any case, it is difficult to see why men of attainments and education, whether they be refugees or not, should not be able to have their permits on application. And in spite of all these hardships, our anti-Indian friends are never tired of saying the country is flooded with British Indians who were never in the Transvaal. They have made a point of saying that every Indian who was before in the country was registered. I hardly think it is necessary for me to dilate upon this matter, as Your Excellency has been told that all the facts with reference to this charge are wrong, but I may be pardoned for referring Your Excellency to a case that happened in 1893. Shire and Dumat were large contractors of labour. They brought into the country at one time 800 Indian labourers. How many more they brought I do not know. The then State Attorney insisted that they should take out registration certificates and pay £3 each. Shire and Dumat tested the matter in the High Court, and the then Chief Justice Kotze held that these men were not, in terms of the law, called upon to pay £3, as they did not enter for "purposes of trade", and that he could not help the Government, even if the men, after the contract was over, subsequently remained in the country. That is only one instance, which cannot be gainsaid, in which hundreds of Indians remained in the country without paying £3 each. The British Indian Association has always submitted, and that from personal experience, that hundreds of Indians, who did not take out trade licences, remained in the country without ever registering themselves and paying £3.

Bazaars and Locations

Coming to Law 3 of 1885, it has been often urged that Indians, after the establishment of British government in this country, have received relief with reference to trade licences. Nothing, however, can be further from the truth. Before the war, we were able to trade anywhere we liked, as against tender of payment of licence money. The long arm of the British Government was then strong enough to protect us, and up to the very eve of the war, in spite of the constant threats of the then Government to prosecute British Indians who were trading, no action was taken. It is true that now, owing to the decision of the Supreme Court, Indian trade is unfettered, but that is *in spite of* the Government. Up to the very last moment the Government declined to come to the rescue, and a notice was published called the "Bazaars Notice" which stated that, after a certain date, every Indian, who did not hold a licence to trade at the outbreak of war outside Locations, would be expected not only to remove to Locations, but to trade there also. After the notice was published, Locations were established in almost every town, and when every effort to get justice at the hands of the Government was exhausted, as a last resort, it was decided to test the matter in a court of law. The whole of the Government machinery was then set in motion against us. Before

the war a similar case was fought, and the British Government aided the Indians to seek an interpretation of the law, which we have now received from the present Supreme Court. After the establishment of the British Government, all these forces were against us. It is a cruel irony of fate, and there is no use disguising the fact that we have felt it most keenly; and this, I may state, as has now transpired, in spite of the fact that the then Attorney-General told the Government that the interpretation they sought to place upon the law was bad, that if it went to the Supreme Court the matter would be decided in favour of British Indians. If, therefore, British Indians have not been sent to Locations and are free to trade anywhere they like and to live where they like—as I say, it is because it is notwithstanding the intentions of the Government to the contrary.[1] In every instance, Law 3 of 1885 has been, so far as the Indians are concerned, most strictly interpreted against us, and we have not been allowed advantage of any loop-holes that are left in it in our favour. For instance, British Indians are not debarred from owning landed property in "streets, wards, or locations that may be set apart" by the Government. The Government have resolutely declined to consider the words "streets and wards" and have simply clung to the word Locations; and these Locations, too, have been established miles away. We have pleaded hard saying that the Government have the power to give us the right to ownership of land in streets and wards, that they should make use of that power in our favour, but the plea has been in vain. Even land which is being used for religious purposes, the Government would not transfer in the names of the Trustees, as in Johannesburg, Heidelberg, Pretoria and Potchefstroom, although the Mosque premises are good in every respect from a sanitary standpoint. It is time, we therefore submit, that some relief was granted to us while new legislation is under consideration.

Class Legislation

As to the new legislation to replace Law 3 of 1885, the dispatch drawn by Sir Arthur Lawley has caused us a very great deal of pain. It insists on legislation affecting British Indians or Asiatics, as such. It also insists on the principle of compulsory segregation, both of which are in conflict with the repeated assurances given to British Indians. Sir Arthur Lawley, I wish to say with the greatest deference, has allowed himself to be led astray by what he saw in Natal. Natal has been held up as an example of what the Transvaal would be, but the responsible politicians in Natal have always admitted that Indians have been the saving of the Colony. Sir James Hulett[2] stated before the Native Affairs Commission that the Indian, even as a trader, was a desirable citizen,

[1] This should perhaps read: 'I say it is not because of, it is notwithstanding, the intentions of the Government to the contrary.'

[2] *Vide* Vol. III, p. 456.

and formed a better link between the white wholesale merchant and the Native. Sir Arthur Lawley had also stated that, even if promises were made to British Indians, they were made in ignorance of the facts as they now are and, therefore, it would be a greater duty to break them than to carry them out. With the greatest deference, I venture to submit that this is a wrong view to take of the promises. We are not dealing with promises that were made fifty years ago, though we undoubtedly rely upon the Proclamation of 1858 as our "Magna Charta". That Proclamation has been re-affirmed more than once. Viceroy after Viceroy has stated emphatically that it was a promise [to be?] acted upon. At the conference of the Colonial Premiers, Mr. Chamberlain laid down the same doctrine and told the Premiers that no legislation affecting British Indians as such would be countenanced by Her late Majesty's Government, that it would be putting an affront quite unnecessarily on millions of the loyal subjects of the Crown, and that, therefore, the legislation that was passed could only be of a general character. It was for that reason that the first Immigration Restriction Act of Australia was vetoed. It was for the same reason that the first Natal Franchise Act was vetoed, and it was for the same reason that the Colony of Natal, after submitting a draft Bill applicable to Asiatics as such, had to draft another measure. These are matters not of years gone by but of recent years. It cannot be said that there are today any new facts that have come to light to change all this. Indeed, even immediately before the war, declarations were made by ministers that one of the reasons [for the war] was to protect the rights of British Indians. Last, but not least, Your Excellency, too, gave expression to similar sentiments on the eve of the war. Though, therefore, the manner in which Sir Arthur Lawley has approached the question is, in our humble opinion, very unjust and inconsistent with the British traditions, we, in order to show that we wish to co-operate with the white Colonists, have submitted that, even though no such law existed before, there may now be an Immigration Act after the basis of the Cape or Natal, except that, as to the educational test, the great Indian languages should be recognised and that the already established British Indian merchants should have facilities afforded to them for importing temporarily men whom they may require in their businesses. That will at once do away with the fear of what has been termed an Asiatic invasion. We have also submitted that with reference to trade licences which have caused so much grumbling, the power should be given to the Local Boards or Town Councils to regulate the issue of any new licences subject to the control of the Supreme Court. All the existing licences should be taken out of the operation of any such statute, because they represent vested interests. We feel that, if these two measures were passed and Law 3 of 1885 were repealed, some measure, and only some measure, of justice would be done to Indians. We submit that we ought to have perfect freedom of owning landed property and of living where we like under the general municipal regulations as to sanitation

and appearance of buildings, and, during the time that the legislation is being formed, the Peace Preservation Ordinance should be regulated in accordance with the spirit of such regulation and liberal interpretation should be placed upon Law 3 of 1885. It seems to me to be foreign to the nature of the British Constitution as I have been taught from my childhood, and it is difficult for my countrymen to understand that, under the British flag which protects aliens, its own subjects should be debarred from holding a foot of landed property so long as good use is made of it. Under the conditions, therefore, submitted by the Association, it ought to be possible for the Government to free the Statute-book of the Colony from legislation that, necessarily, insults British Indians. I do not wish to touch on such questions as foot-path regulations when we have to consider the question of bread and butter and life and death. What we want is not political power; but we do wish to live side by side with other British subjects in peace and amity and with dignity and self-respect. We, therefore, feel that the moment His Majesty's Government decide to pass legislation differentiating between class and class, there would be an end to that freedom which we have learned to cherish as a priceless heritage of living under the British Crown.

THE STATEMENT[1]

There are, besides laws affecting Coloured people and, therefore, British Indians, the Peace Preservation Ordinance and Law 3 of 1885 as amended in 1886.

The Peace Preservation Ordinance, as its name implies, although framed to keep out of the Colony dangerous characters, is being used mainly to prevent British Indians from entering the Transvaal.

The working of the law has always been harsh and oppressive—and this in spite of the desire of the Chief Secretary for Permits that it should not be so. He has to receive instructions from the Colonial Office, so that the harsh working is due, not to the chief officer in charge of the Department, but to the system under which it is being worked.

(a) There are still hundreds of refugees waiting to come.

(b) Boys, with their parents or without, are required to take out permits.

(c) Men with old £3 registrations, coming into the country without permits, are, though refugees, being sent away and required to make formal application.

(d) Even wives of Transvaal residents are expected to take out permits if they are alone, and to pay £3 registration, whether with or without their husbands. (Correspondence is now going on between the Government and the British Indian Association on the point.)

(e) Children under 16, if it cannot be proved that their parents are dead, or are residents of the Transvaal, are being sent away, or are

[1] This was published in the *Indian Opinion* of December 2, 1905, while the foregoing, the address by Gandhiji, appeared on December 9.

refused permits, in spite of the fact that they may be supported by their relatives who are their guardians, and who are residing in the Transvaal.

(f) No non-refugee British Indians are allowed to enter the Colony, no matter what their station may be in life. (The last prohibition causes serious inconvenience to the established merchants, who, by reason thereof, are prevented from drawing upon India for confidential managers or clerks.)

Law 3 of 1885

In spite of the declarations of Her late Majesty's ministers, and assurances of relief after the establishment of civil government, this law remains on the Statute-book and is being fully enforced, though many laws, which were considered to be in conflict with the British constitution, were repealed as soon as British authority was proclaimed in the Transvaal. Law 3 of 1885 is insulting to British Indians and was accepted totally under a misapprehension. It imposes the following restrictions on Indians.

(a) It prevents them from enjoying burgher rights.

(b) It prohibits ownership of fixed property, except in streets, wards, or Locations set apart for the residence of Indians.

(c) It contemplates compulsory segregation in Locations of British Indians for purposes of sanitation.

And (d) it imposes a levy of £3 on every Indian who may enter the Colony for purposes of trade or the like.

It is respectfully submitted, on behalf of the British Indian Association, that the Peace Preservation Ordinance should be so administered that

(a) it should facilitate the entry of all refugees without delay;

(b) children under 16 should be exempt from any restriction whatsoever, if they have their parents or supporters with them;

(c) female relatives of British Indians should be entirely free from interference or restriction as to the rights of entry; and

(d) a limited number of Indians though not refugees, should, on the application of resident traders who may satisfy the Permit Officer that they require the services of such men, be granted permits for residence during the period of their contract of service; and

(e) Indians with educational attainments should be allowed to enter the Colony on application.

Both Law 3 of 1885 and the Peace Preservation Ordinance, and all other colour legislation affecting British Indians, should be repealed so soon as possible and they should be assured as to

(a) their right to own landed property;

(b) [their right] to live where they like, subject to the general sanitary laws of the Colony;

(c) exemption from any special payment; and

(d) generally, freedom from special legislation and enjoyment of *civil* rights and liberty in the same manner and to the same extent as the other Colonists.

Though the British Indian Association does not share the fear of the European inhabitants that an unrestricted immigration from India will swamp the latter, as an earnest of its intention to work in harmony with them and to conciliate them, it has all along submitted that

(a) the Peace Preservation Ordinance should be replaced by an immigration law of a general character, on the Cape or the Natal basis, provided that the educational test recognise the great Indian languages, and that power be given to the Government to grant residential permits to such men as may be required for the wants of Indians who may be themselves already established in businesses;

(b) a Dealers' Licences Law of a general character may be passed, applicable to all sections of the community, whereby the Town Councils or Local Boards could control the issue of new trade licences, subject to appeal to the Supreme Court to review the decisions of such councils or local boards. Under such a law, whilst the then existing licences would be fully protected, except when the premises licensed are not kept in a sanitary condition, all new applicants would have to be approved of by the Town Councils or the Local Boards, so that the increase of licences would be largely dependent upon the bodies above named.

Indian Opinion, 2-12-1905 and 9-12-1905

162. RETRENCHMENT AND THE POLL-TAX

At a meeting of the Durban Town Council on Tuesday last, the Mayor reported having interviewed the heads of all the municipal departments employing Native and Indian labour, and discussed with them the reduction of all Native and Indian wages by an amount equal to 10 per cent. of the monthly wage. This has been approved by the Council and comes into force as from the 10th November.

It seems evident that neither the Council nor the heads of the departments have considered the additional misery that this measure will mean to those unfortunate men affected by it. Practically all the free Indians employed by the Corporation come from the indentured class, and these have to pay an annual tax of £ 3 for the privilege of being a "free" British subject in a British Colony, and beyond this (a very large drain on a poor man) there is to be a further annual tax of £ 1. How these men are to bear this additional burden and pay their taxes, perhaps the authorities know. The least we can say is that this method of retrenchment reflects no credit on the humanity of the Council, and that the moment for putting it into force is singularly inopportune.

At the same meeting, the Council decided to raise the salary of the Borough Electrical Engineer's assistant to £ 400 per annum. This method of retrenchment applies to the Colony as a whole. In this connection, we may quote our vigilant contemporary, *Trade and Transport* :

> The *Gazette* has not yet stated that among the Civil Servants chosen by Government to help the Colony out of a financial slough by an acceptance of

a reduction in pay, there was one who point-blank declined to do so, and that in consequence the Government, instead of insisting, yielded to this individual's unwillingness to share with his fellows a common burden, and even went so far as to give him a substantial increase of salary instead, the excuse for such magnanimity being certain alleged conspicuous services rendered in connection with an undertaking quite beyond the sphere of duties properly belonging to the favoured one's special department.

If the Durban Town Council had retrenched by adequately reducing first of all the high salaries of those heads of departments who have been willing to see the Natives and Indians reduced, the paltry £ 3,000 per annum, saved by taxing their very poorest employees, could easily have been made up. At the worst, it would have been a hardship felt by but few, instead of, as now, by many. But it is the old story : For, whosoever hath, to him shall be given, and he shall have more abundance; but whosoever hath not, from him shall be taken away even that he hath.

Indian Opinion, 2-12-1905

163. SIR ARTHUR LAWLEY AS GOVERNOR OF MADRAS

We congratulate Sir Arthur Lawley on his appointment as Governor of Madras. It is a distinction well deserved by His Excellency. Sir Arthur is always kindly, courteous, and solicitous for the welfare of those whose interests are entrusted to him. His views about Indians are strange, and we have been often obliged to comment upon many inaccuracies[1] into which he has been led in considering this question, but we have always believed that these views have been honestly held. Moreover, wrongly though we consider it to be so, Sir Arthur has believed that, in upholding the anti-Indian policy, he would best serve the interests of the European inhabitants of the Transvaal. The mere fact, however, that Sir Arthur has been led to hold such views, owing to his extreme anxiety to serve the European interests in the Transvaal, may be his strength in Madras, for his kindliness, his courtesy, his sympathy and his anxiety have now to be transferred to the millions of Indians over whose destiny he is to preside for the next five years. Sir Arthur Lawley is to fill the place vacated by Lord Ampthill, who has endeared himself to the people of the Madras Presidency. We hope that Sir Arthur will continue the traditions he inherits.

Indian Opinion, 2-12-1905

[1] *Vide* Vol. IV, pp. 265-6 and 426-7.

164. INDIAN VOLUNTEERING

Our note on the subject of Indian volunteering,[1] we are glad to notice, has been warmly taken up by *The Natal Witness*, and some correspondence has appeared on the subject. We hope, now that the matter has been taken up by the Press, that it will not be allowed to die out without an expression of opinion from the Government as to its policy. Law No. 25 of 1875 was specially passed to increase " the maximum strength of the Volunteer Force in the Colony by adding thereto a force of Indian Immigrants Volunteer Infantry". Under the Law, the Governor is authorised " to accept, with the consent of the employer, the services of any Indian Immigrants who may be willing to be formed into a Volunteer Corps". The limit of the strength of the force was, in *those* days confined to one thousand three hundred men. Any planter could raise such a corps, and, subject to the approval of the Governor, be appointed Captain of the same. A capitation grant of twenty shillings per man is made for every efficient volunteer and no volunteer

> shall count as efficient who shall not attend a minimum of twelve days' drill of four hours per diem, or twenty-four days' drill of two hours per diem, or forty-eight days' drill of one hour per diem in each year, and no drill shall count which is not of an hour's duration.

Provision is made also for compensation to any member of the Indian Immigrants Volunteer Force whilst engaged in actual military service, should he be wounded or otherwise seriously injured, and for pensions to the widows and children left in Natal of any such volunteer killed in action, or who shall die of wounds received while so engaged. Here, then, if the Government only wanted the Indian immigrant to take his share in the defence of the Colony, which he has before now shown himself to be quite willing to do, there is legal machinery ready made for it.

Indian Opinion, 2-12-1905

165. INDIANS IN DURBAN CORPORATION SERVICE

We hear that the salary of the Indians serving in the Durban Corporation has been reduced by two shillings per month. This news, if true, is to be very much regretted. We do not understand why this is being done. We, moreover, learn that the salaries of the whites remain what they are. We shall return to this subject after we have more definite information about it.

[From Gujarati]

Indian Opinion, 2-12-1905

[1] *Vide* "An Indian Volunteer Corps", p. 134.

166. MODERN CIVILIZATION

The Black Hole[1] of Calcutta is considered unique in history. But there occurred recently at Stanger[2] a tragedy which has outdone the earlier one of Calcutta. Last week 200 prisoners were kept in the Local Government Jail which has room for fifty only. The result was that the whole jail was stinking abominably and it was difficult to enter it. The prisoners were suffocating and most uncomfortable. Is this civilization?

[From Gujarati]

Indian Opinion, 2-12-1905

167. ATTACK ON YELLOW SKIN

A white colonist of New Zealand abhorred the Chinese so much that he shot one dead in broad daylight, and reported himself at the police station. He was arrested and prosecuted. The jury took him for a mad man and recommended that he should not be sentenced to death. But the man shouted protesting that he had not committed the murder in a fit of insanity. He believed the Chinese caused the white population much harm. He had therefore committed the murder to give the Chinese a warning. He was ready to hang for it.

[From Gujarati]

Indian Opinion, 2-12-1905

168. IMMIGRATION ACT OF NATAL

Mr. Harry Smith writes to say that our complaint regarding the hardships the passengers aboard s.s. *Somali* had to undergo is quite true. But instead of admitting his own fault, he holds the shipping company responsible for them and adds that some passengers undergo hardships which are of their own making. We have already given in our English columns[3] last week a detailed reply to all this. Mr. Smith cannot disclaim responsibility for sufferings arising from the application of the Immigration Act. It is the duty of Mr. Smith to see that no hardship is

[1] An enclosed place, about 20 feet square, where, in 1756, by an order of Nawab Siraj-ud-daula, 146 persons were reportedly kept for a night, of whom 123 died. This "incident", is now considered to have been the fabrication of some official of the East India Company.

[2] A town 45 miles to the north-east of Durban

[3] *Vide* "Mr. Harry Smith and Indians", p. 141-2.

suffered by the passengers who are not allowed to land.

[From Gujarati]

Indian Opinion, 2-12-1905

169. THE HEROIC SONG OF BENGAL

Every Western nation has its national anthem. They sing it on important occasions. The British anthem, *God Save the King*, is well known. The Englishman is inspired with heroism when he sings it. Germany, too, has its famous anthem. *La Marseillaise* of France is of such a high order that the French go into ecstasies when it is sung. Having realized this, Bankim Chandra, the Bengali poet, thought of composing a song for the Bengali people. The song, *Bande Mataram*, composed by him has become very popular throughout Bengal. Mammoth meetings have been held in Bengal in connection with the *swadeshi* movement where millions of people gathered together and sang Bankim's song. The song, it is said, has proved so popular that it has come to be our national anthem. It is nobler in sentiment and sweeter than the songs of other nations. While other anthems contain sentiments that are derogatory to others, *Bande Mataram* is quite free from such faults. Its only aim is to arouse in us a sense of patriotism. It regards India as the mother and sings her praises. The poet attributes to Mother India all the good qualities one finds in one's own mother. Just as we worship our mother, so is this song a passionate prayer to India. The words used are mostly Sanskrit, but easy to understand. The language, though Bengali, is simple enough for everyone to understand. The song is of such a high order that we print it in the Gujarati script below[1], and in the Devanagari script in the Hindi columns.

[From Gujarati]

Indian Opinion, 2-12-1905

170. LORD SELBORNE AND BRITISH INDIANS

Elsewhere will be found a report of the interview[2] that a deputation, on behalf of the British Indian Association of the Transvaal, had with Lord Selborne, on Wednesday, the 29th ultimo.

The British Indian Association has done well in placing the position so fully before Lord Selborne. It could not but have struck His Excellency, as it strikes us, that the case put before him on behalf of British Indians in the Transvaal is extremely moderate and reasonable. In fact, His Excellency admitted the "extreme reasonableness" of the statement that any

[1] Not here

[2] *Vide* pp. 144-52.

restrictions, to be effective, must be such as are, in the strictest sense only, necessary. Examined from that standpoint, two things stand out prominently in the statement submitted to His Excellency by the deputation. The Indians recognise the existence of prejudice against them in the Transvaal, and also recognise that it is largely due to a fear (whether that fear be unreasonable or reasonable, it is not necessary to inquire into for present purposes) of unfair competition on the part of Indian traders and an undue influx of Indians into the country, and they propose to meet both objections in a manner that cannot but commend itself to all who are not blinded to a sense of justice by overpowering prejudice. If legislation restricting immigration on general lines were passed, on the Cape or Natal basis, with a proviso in favour of Indian languages, as an education test, it should meet all reasonable requirements. With a spirit of self-sacrifice, not to be ordinarily expected, the British Indian Association has gone further, and has suggested that control over all new trade licences shall be given to the Local Boards or Town Councils, subject to revision by the Supreme Court of the Colony. Here, then, is what ought to be an acceptable olive-branch offered to the anti-Indian agitators in the Transvaal. They are the men who cry out against Indian licences, and they are the men who either elect municipal representatives or are themselves such representatives. The Indian trading community relies so much upon their sense of justice and fair play that it does not hesitate to intrust its future to them. More it cannot be expected to do; and if anything more is done, if, in spite of such advances, class legislation be deliberately undertaken, the whole of the "extreme reasonableness" will have been in vain, and, as said by the deputation, there will be an end to that freedom which Indians had learned to cherish as the priceless heritage gained to them by living under the British flag. The working of the Peace Preservation Ordinance will come to many as a painful surprise. Though Lord Selborne held silence over the points that were brought to his notice, we cannot but think that His Excellency must have regarded some of them with strong disapproval. That children under sixteen years should be expected to carry permits with them, or that they should be deported, if their parents be not residents of the Transvaal, and that Indian females should be required to take out registration certificates, is a most discreditable thing. Regulations such as these savour very much of Russian methods, and for the fair name and fame of the Empire, of whose interests Lord Selborne is such a worthy custodian, we hope that he will, as he has promised, go into the matter thoroughly, and give Indians the satisfaction that right and justice demands.

Indian Opinion, 9-12-1905

171. EXTRACT FROM LETTER TO DADABHAI NAOROJI[1]

[JOHANNESBURG,]
December 11, 1905

This week's *Indian Opinion* will give a full report of the deputation that has waited on behalf of the British Indian Association on Lord Selborne.[2]

The issues raised and discussed are, in my humble opinion, very important and the most important of all is the one regarding the doctrine of class legislation laid down by Sir Arthur Lawley and the opposition to it by the British Indian Association. Sir Arthur Lawley's suggestions are meant to conciliate the European prejudice and so is the proposal of the British Indian Association. If anything, the proposition of the latter meets the European view more completely than Sir Arthur Lawley's suggestion. It is difficult to understand why he has laid so much stress upon the differences between class and class, but if that doctrine is accepted, there will be no end to restrictions upon British Indians in South Africa. It is, therefore, a most important point. The reserve with which Lord Selborne dealt with matters urged by the British Indian Association shows that Mr. Lyttelton has not yet yielded to Sir Arthur's proposals.

India Office : Judicial and Public Records : 4289/1906

172. THE IMMIGRATION ACT AT THE CAPE

We reproduce in another column a very important test case on the Immigration Act at the Cape. The British Indians at the Cape will have to be very careful as to how the Act is being worked. One Narotam Lalu, who has been a resident for nine years in Natal, was prevented from entering the Cape on the ground that he was not domiciled in South Africa. His claim to previous domicile was rejected, although he held a domicile certificate from Natal, because he did not have his wife and children with him, or in South Africa. The authorities at the Cape have instructed their officials that, unless applicants show that they possess immovable property in South Africa, or have their families in South Africa, their claims are to be rejected. Mr. Justice Maasdorp has given a fairly full judgment. He lays down that the requirement as to the presence of wife and children in South Africa, although it is a very great fact in support of domicile, is not absolutely essential. The learned judge has also laid down that a certificate of domicile from Natal is no proof of

1 This was quoted by Dadabhai Naoroji in his letter of January 1, 1906, to the Secretary of State for India.

2 *Vide* pp. 144-52.

former domicile, because that is a question for a judge or some judicial authority to decide. The net effect of the judgment is that Indians who can prove long residence in South Africa and an intention of remaining in South Africa will be able to establish their claim to domicile. This is so far satisfactory, but they will not be able, as was very reasonably supposed, to enter the Cape without any trouble on production of a certificate of domicile from Natal. Now the law of the Cape recognises domicile in any part of South Africa, and in the interests of a just administration of the law it is very necessary that documents given by the Natal Government should be recognised at the Cape also, otherwise it would lead to endless complications and troubles. As counsel for the applicant stated, the law as to domicile is practically the same in Natal as at the Cape. There is, therefore, absolutely no reason why certificates of domicile granted in Natal, which, as everyone knows, are issued after very careful scrutiny, should not be accepted for the Colony of the Cape of Good Hope.

Indian Opinion, 16-12-1905

173. THE C. S. A. R. AND PASSENGER TRAFFIC

In the Transvaal *Government Gazette* for the 8th instant is published a Bye-law for regulating passenger traffic on the Central South African Railways. The Bye-law is a result of the investigation carried out by Lord Selborne on the complaint of the Rand Pioneers[1], as also the Coloured people's deputation that waited on His Excellency some months ago. The Bye-law is purely impersonal, and, on the face of it, seems to be perfectly inoffensive. It states that passengers are to

> conform to any instructions given by the station-master, guard or other official authorities for the purposes, as to the compartment in which they shall travel or the seats they are to occupy, and no person shall remain in any compartment or seat if requested by such official to vacate the same. If the circumstances necessitate any passenger having to travel in a compartment of inferior class to that for which he holds a ticket, the difference in the fare shall be refunded by the Railway Department, on application to the Traffic Manager.

Refusal to comply with the Bye-law carried with it a penalty not exceeding 40s. or seven days' imprisonment. The Railway authorities have always possessed these powers, but the Bye-law emphasizes the fact. In its practical effect, it means that Coloured passengers may have to travel in an inferior compartment to that for which they may hold tickets. Whether it will be mischievous in its working or not will very largely depend upon those who will be authorised to regulate traffic, and a very great measure of tact will have to be exercised if inconvenience and rough treatment are to be avoided.

Indian Opinion, 16-12-1905

[1] Conservative Dutch settlers of the Transvaal

174. THE LONDON INDIAN SOCIETY AND PROF. GOKHALE

Within a short time of his arrival in England, the whole country has been resounding with the speeches of Prof. Gokhale. The London Indian Society gave a dinner[1] in honour of Prof. Gokhale and Dadabhai, the Grand Old Man of India. We give below the gist of Prof. Gokhale's speech delivered on the occasion, as it is very instructive and deserves careful study. The main point it emphasizes is the spread of education in India. We have already written on the subject in our English Section.[2] We hold that, even in South Africa, we shall not be happy without education. Education is the most potent means to happiness in the modern age. Prof. Gokhale has given 20 years of his life to the Fergusson College for a mere pittance, and is even now serving the country, without trying to amass wealth for himself. Even the monthly income of Rs. 1,000[3] which he gets as a member of the Imperial Legislative Council, he does not use for himself, but for the country. In the course of his speech, he said:

> Twenty years ago, when I left the University and began to take an interest in public questions, the National Congress was held for the first time and you (Mr. Bonnerji) were called upon to take the chair on that occasion. Since that time down to the present day you have been active in the service of the country; and even today, though unwell, you are attending this gathering. The country can never forget the great services rendered by you. I have no wish to make any lengthy speech this evening. What can I say on the Indian question in the presence of two such veteran leaders of our cause as Mr. Dadabhai Naoroji and Mr. Bonnerji? But I cannot help saying a few words to emphasize the lesson we can learn from the speech of Mr. Dadabhai. He has spoken with that over-mastering force of conviction which comes from a life-long and strenuous exertion on behalf of his countrymen. He is the one man in India who is entitled to speak in the terms in which he has addressed us. We of the younger generation have no right to speak as he has spoken.
>
> You all know our present condition. I would say that it might deteriorate still further. We must rely mainly upon ourselves. If our aspirations are ever to be fulfilled, we must realize the solemn responsibility which such aspirations impose on us. It is no use merely analysing the difficulties of the situation, and then sitting still with folded hands. It is for the younger generation to plunge into the struggle. We need not be afraid though dark clouds threaten us. It is really when times are dark that good men and true are tested. There can be but one issue to this struggle, if only we are true to ourselves. We have to

1 On Saturday, November 11, 1905, with W. C. Bonnerji in the chair

2 *Vide* "Compulsory Education in India", pp. 89-91.

3 Members of the Imperial Legislative Council at the time were paid Rs. 5,000 a year.

take a lesson from the events happening in Japan and Russia. I think the time has now come when a number of our young men should give up everything in life in order to serve their country. If all of us are absorbed in our own pursuits, and look after our own interest mostly, we have no right to find fault with others if the condition of the country does not improve. The prime necessity of the country today is education. By education I do not mean the mere rudiments of primary education, but a knowledge of our rights, and along with them of our responsibilities and our duties. It is not enough that such education is spread among a handful of us; it has to be spread amongst the crores of our people. How is this to be done? We cannot expect this education to be given to the masses by our rulers. For that we have ourselves to be ready and devote time to it. The number of young men coming forward should steadily increase. We shall have truly honoured Dadabhai if we learn this lesson from his life. It is no use simply praising his numerous virtues — his himility, his simplicity, his earnestness, his sacrifice, his selflessness and his tireless hope — we should try to emulate them. It should be our aspiration to die for the sake of our country. If a sufficient number of young men come forward to dedicate their lives to the service of the country, no power on earth can keep us back. Only then will the dark clouds hovering over us be dispelled. Only then shall we succeed, India will march forward, our pettiness disappear, our glory shine throughout the world, and the destiny of which we are dreaming today be realized.

[From Gujarati]
Indian Opinion, 16-12-1905

175. TRANSVAAL PERMITS

Great changes are taking place in the procedure for issuing permits to Indians. Lord Selborne has ordered that the entire control of the Permit Office in Johannesburg be made over to the Colonial Office. This seems to have been largely due to the efforts of the deputation.[1] Improvement or deterioration in the condition of Indians will now depend on the manner in which the change is made. We believe it will improve, though we may have to suffer some hardship for the time being.

[From Gujarati]
Indian Opinion, 16-12-1905

1 *Vide* "Deputation to Lord Selborne", pp. 144-52.

176. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
December 21, 1905

MY DEAR CHHAGANLAL,

I have your letter as also your telegram. If Hemchand is incapacitated or dismissed[1] you may use Gokuldas unless, according to my strong recommendation, he goes over to the Tamil desk, in which case I could send Kalyandas.

The excursion ticket is very cheap. I am trying to get your permit and you shall have it by the time you are ready. I am very glad you have finally decided to come over.

I have received from Mr. Hormusji Edulji[2] from Delagoa Bay a draft for £3/7/6. He tells me that he would like to have a receipt from the Press directly. You may, therefore, send him a receipt for the amount, which covers his advertisement and subscription. He also tells me that he has not been receiving his Paper lately. Please see to this.

You say you have sent me a box of peaches. I may say that I have not yet received it.

Virji will be leaving at the end of the month. Please pay him his salary and pay him also his deck passage and something for food on board. I do not know what is the usual thing. You need not haggle about it but you may see him. Let him have all that on the last day of this month.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
PHŒNIX

From a photostat of the original: S. N. 4267

177. LETTER TO HIGH COMMISSIONER'S SECRETARY

JOHANNESBURG,
December 22, 1905

SIR,

I have the honour to draw His Excellency's attention to two Draft Ordinances that appeared in the Orange River Colony *Government Gazette* dated the 15th instant, namely, Draft Ordinances "to amend the Laws relating to Passes" and "to regulate and control the procuring and engaging of coloured people to do work or labour within or beyond the borders of the Orange River Colony".

[1] *Vide* pp. 87-8.
[2] 'Hormsgy Idolgy' in the original

My Association does not wish to deal with the details of the two measures, but my Association ventures to draw His Excellency's attention to the fact that both of them apply to British Indians also as being included in the definition of the term "Coloured people". In practice, none of the Ordinances would apply to British Indians. My Association, therefore, considers that the insult that is implied in the definition is totally unwarranted.

My Association will, therefore, feel deeply grateful if His Excellency could intervene on behalf of British Indians and free the Ordinance from the objectionable definition, which, while it does no good to the Colony, is highly offensive to British Indians.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 30-12-1905

178. THE HARVEST

The harvest is indeed rich, but the labourers are few. There are many things that await workers, and every one of these things is most essential to be done. If, however, we had a choice to make amongst the many things as to what should receive precedence, education among Indians would be the first.

We are now in the midst of the Christmas holidays. The year will soon be closed upon us. To many British Indians who read these words it is, or it ought to be, a season of deep spiritual awakening, for, to Christians, the Christmas season is a season of holiness. We are, therefore, anxious to touch the most responsive chords in the hearts of the Indian youths who are born and bred in South Africa, and to whom South Africa is their home. Those that have received any education owe it to their parents, many of whom were, perhaps, without any knowledge of letters. What should the latter do in their turn for those of their countrymen who are in need of education and culture, and all that is implied in these two words? We have already remarked upon the fact that the education of Indian youths is very much neglected.[1] What little is being done is being done by missionary enterprise, partially supported by the Governments in South Africa. There is not a single school of importance, on which we can lay our hands, which is carried on entirely by Indian enterprise. This is one of those departments in which, while we have always a right to look to the Government to give the lead, it is possible to help

[1] *Vide* "Compulsory Education in India", pp. 89-91.

ourselves. Nor is it a matter merely of money. The first thing needful is a sufficient number of self-sacrificing young men who would devote themselves to educational work as a labour of love. That seems to us to be an indispensable condition. The Roman Catholics produced the best teachers in the European world because the teachers accept and expect no payment. Burmese children receive, according to Burmese notions, a full education, because the teachers are volunteers. The same rule was followed in ancient India, and even today the village schoolmaster is a poor man. The Fergusson College, of which Professors Gokhale and Paranjape are such brilliant stars,[1] is an instance of a revival of the same after the modern style. Nothing short of an introduction of that type in South Africa would ever solve the whole Indian question. The duty, therefore, before the young Indians in South Africa is simple and clear. The work before them is not a work of a day or few months, but it is a work of years; nor is it a work which can be done without strenuous labour. They have not only to be content with poverty, but they have to train themselves for the vocation. There is no royal road to the goal, but no one need on this account be disheartened. Even if one young man took it into his head to devote his lifetime to the uplifting of Indian children, he could do it. Though co-operation and riches will always be of very great assistance, teaching is a department of work in which one teacher alone can be a host in himself. None need, therefore, wait for others to take up the work. And there is no calling so sacred. As a Sanskrit verse says:

> Kingship and learning are never equal:
> A King is worshipped in his own kingdom,
> But a learned man throughout the world.

Again:

> Riches are spent by use; but learning is increased by it.

While we are making this appeal to the Indian youths, we would draw their attention to the glowing words addressed by Professor Gokhale to the London Indian Society on the occasion of the reception given to Mr. Dadabhai Naoroji and himself. After placing vividly before his hearers the noble example of the Grand Old Man of India, he says:

> Let us not forget that great events are happening around us and if we want to play our part in the world's history, we must show ourselves worthy of playing that part. I think the time has come now when a number of our young men should give up everything in life for the sake of serving their country. The magnitude of the task before us imperatively demands this. If all of us are absorbed in our own pursuits and look mainly after our own individual interests and leave the country to look after herself, we have no right to complain if things do not move faster than they do. Unless education is spread largely in our country — by education, I do not mean the mere rudiments of primary education but a knowledge of our rights, of what is due to us, of the responsibility which

[1] Both, as members of the Servants of India Society, worked on a meagre subsistence allowance. The members of this Society, founded by Gokhale, dedicated their lives to various forms of social service.

> goes with such rights — unless this education is spread largely among the masses of the people, our hopes are likely to remain mere hopes for an indefinite period. Therefore, the only solution of the difficulty is that we should understand the necessity — the supreme necessity — of such education, and those of us who are qualified to spread it must recognise our duty and go forward and undertake the task. I think at the present day no work can be more truly patriotic than this. This is the responsibility which the words of our great and venerable leader impose upon us, and I venture to think that the country has a right now to expect that a certain proportion — small [as] it may be at the beginning but steadily increasing — of our young men will respond whole-heartedly to this call of duty. If this is realised, however dark the outlook at times may be, success must ultimately crown our efforts, for our numbers are so large that no power on earth can stay our forward march if only we do not ourselves falter.

There is nothing in these words of Professor Gokhale's, who, be it remembered, has tested in his own life for twenty years the truth he has inculcated, that does not apply to us in South Africa. Will anyone rise to the occasion? The harvest to be reaped is rich and plentiful.

Indian Opinion, 23-12-1905

179. THE N. G. R. AND INDIANS

We have received a complaint, signed by three Indians, which we reproduce in the Gujarati columns, regarding unnecessary inconvenience to which Indian passengers, it is evident, are put at some stations on the Natal Government Railways. Our correspondents say:

> We hope you will bring to the notice of the authorities our complaint as to our grievances. On the 13th December, our friend, Mr. Valli Arif, was leaving by the four o'clock mail train. We intended to go to the platform at the Central Station to see him off, but the constable at the platform, in a rough manner, prevented us from going. On our asking him to explain why we were being prevented, he abruptly said he would not let us go.

Our correspondents continue in the same strain. We are free to admit that there may be occasions when it may not be possible to admit an unlimited number of friends to see passengers off, but we are sure the Railway management would agree with us when we say that the public are entitled to a considerate reply and explanation, whenever occasion arises to prevent them from going on to the platform. We trust that the authorities will inquire into the matter, and prevent a repetition of the treatment complained of by our correspondents.

Indian Opinion, 23-12-1905

180. INDIAN TRADERS AT THE CAPE

Last week our Cape Correspondent dealt with the question of Indian traders. We need hardly inform our readers that special correspondents do not necessarily represent the views or the policy of this journal. As a rule, we make it a point to give all sides of the question. There would have been no occasion for emphasizing this fact, had it not been that our Cape Correspondent has dealt with the question of Indian traders at length. We hold that the petty Indian traders have been of benefit to the Colony, and we share the view recently expressed by Sir James Hulett, and some years ago by Sir Walter Wragg, the late Sir Henry Binns and others, that they consider the petty Indian trader is a much better man than his fellow-trader of the same class, and that he supplies a much-felt want. Any restriction, therefore, on his liberty would be a very serious injustice to him, and it should be the duty of the Indians at the Cape to fight strenuously against any attempt that may be made in that direction.

Indian Opinion, 23-12-1905

181. AGREEMENT BETWEEN HINDUS AND MUSLIMS

We publish elsewhere[1] a letter addressed to us by Mr. Haji Habib on the subject. If what he writes about the Karachi Traders' Association is true,[2] we are sorry about it. We, also, hold that the Hindus, being the majority community, should act with greater humility. We also agree with Mr. Haji Habib, when he says that the rights demanded by the Indian National Congress would have been gained long ago if there had been unity among the Hindus and the Muslims.

There is no doubt that the leaders of both the communities should meet together and come to some kind of agreement on such matters. We see signs which indicate that such an agreement will shortly follow.

We must, however, reiterate what we have said before, viz., whatever be the point of dispute between the two communities, no third party should be brought in to settle it. It is easier to put up with a quarrel between two brothers; but it is intolerable that an outsider should step in and deprive both of what they have. Everyone of us should feel that way.

1 In the issue of 30-12-1905

2 Haji Habib had complained of Hindu traders raising compulsory contributions from Muslim merchants for the Cow Protection Fund.

As Mr. Rasool[1] has pointed out, a third party intervening in a quarrel is not likely to do either any good.

[From Gujarati]

Indian Opinion, 23-12-1905

182. WONDERFUL IS THE WAY OF GOD[2]

AN INTERESTING STORY

A variety of pamphlets and booklets are published throughout Europe about Christmastime in which many noteworthy facts often appear. The well-known Mr. Stead has published a pamphlet in England, in which he has a life sketch of Count Tolstoy. We have already introduced Count Tolstoy to our readers in these columns.[3] Though a millionaire, he lives an extremely austere life. There are very few men as learned as he in the world. He has written books to show how man's life can be reformed; and, with the same object in view, has written some short stories also. We give below the translation of one of these, having the above title and considered one of his best. We invite our readers to give us their opinion about it. If they find it interesting and benefit from it, we shall publish more such stories from Tolstoy. It is said that the main incidents in the story actually occurred.

[*Here follows the Gujarati translation of an English version of the story.*]

[From Gujarati]

Indian Opinion, 23-12-1905

183. A RETROSPECT

Each year at this period it has been our practice to take stock of the position of Indian affairs in South Africa, which justifies the existence of this journal, and to better which is its main purpose.

We wish it was in our power to present to our readers a cheering balance-sheet, but such cannot be, in the nature of the circumstances. It is for the Indian to toil, suffer and wait, and we cannot report that he has been able, during the past year, to throw off any of his burdens. Whether we look at Natal, the Transvaal, the Cape, or the Orange River Colony, it is not possible to recall anything that may be considered in the light of an achievement. The record we have to present is a record

1 A. Rasool, presiding over a mass meeting of Muslims, as reported by *The Mahratta* of Poona, had appealed to the Hindus and Muslims of Bengal to unite on all questions including the partition of Bengal and the *swadeshi* movement.

2 In the Tolstoy Centenary edition of his works published by the Oxford University Press, this story has the title "God Sees the Truth, but Waits".

3 *Vide* pp. 56-7.

of prevention of further losses. The strength of the community has been spent in repelling encroachments.

In Natal, as if Indians had not had enough of trouble from man, Nature herself has proved unkind. The disastrous flood claimed the largest number of victims from the Indian community. The total number of deaths due to that calamity will, perhaps, never be known. It, however, showed what Indians were capable of doing. Practically the whole of the relief work was undertaken, and efficiently performed, by the leaders of the community.

In civil matters — political liberty the Indian in Natal has not — as of old, the Dealers' Licences Act continues to be the greatest source of trouble. The two cases of Messrs Hoondamal[1] and Dada Osman[2] stand out prominently in this connection. They show most clearly the precarious position that every Indian merchant holds in Natal.

The Municipal Laws Consolidation Bill deprives the Indian of the municipal franchise. The Poll-tax measure, though applicable to all, is calculated most seriously to affect the Indian. The Immigration Restriction Act is being very rigorously enforced, and, as our columns have borne witness lately, the lot of an Indian passenger coming by the steamers from India is by no means enviable.

At the Cape, the Government has been strengthening its grip upon Indians by putting a wrong interpretation upon the restrictive clauses of the Immigration Act. The term "domicile" has been interpreted so as to exclude even Indian traders of old standing. Happily, the Supreme Court has come to the rescue, and has made it possible for such men to re-enter the Colony or to remain there.

In the Transvaal, where the chief struggle is going on, the position is as indecisive as it was last year. Lord Selborne has not been able to give the Indian deputation that waited on him any definite answer, though he has promised to redress the grievances regarding the operation of the Peace Preservation Ordinance.

As for the Orange River Colony, Lord Selborne's reply, given some months ago to a representation from the British Indian Association,[3] shows that that Colony is not yet to open its gates to Indians, no matter who they may be.

In its communal life, however, the Indian population has shown distinct signs of progress. There is an anxiety to work in greater harmony; an anxiety to give the Indian youth a better education. In the person of Mr. Bernard Gabriel, we have the first Colonial-born Indian to have received a liberal education, and to have returned a barrister from England. The community has a right to expect him to give a good account of himself.

[1] *Vide* Vol. IV, pp. 277-9, 301 and 312.

[2] *Vide* Vol. III, pp. 17-21.

[3] *Vide* "Address to Lord Selborne" and "Potchefstroom Indians' Statement" pp. 95-8.

The visit of Professor Parmanand and the welcome given to him are an indication of the desire of the community to have in its midst more Indians of culture and education. It is to be hoped that, in the near future, this will be translated into action, and that there will be a concentrated effort to supply from within the educational needs of the community.

The retrospect is gloomy enough, and yet it is not without relieving features. Attempts to degrade the community by establishing the principle of compulsory segregation, although often renewed, have hitherto failed. There has been, on the part of the Press, greater willingness to ventilate Indian grievances. The question of Indian volunteering, first started by us, has been favourably received by it.

The revelations regarding the condition of indentured Indians, before the Prisons Commission in Natal, have received some publicity from the Natal Press, and though these are incidents which, by themselves, signify very little, they unmistakably point to the fact that the community has to proceed along the lines laid down by it when the struggle first commenced, namely, to continue it with reasonableness, as acknowledged by Lord Selborne, with patience, and yet with persistence.

Indian Opinion, 30-12-1905

184. THE ORANGE RIVER COLONY

We wish to call the attention of the responsible authorities to certain draft Ordinances that are published in the Orange River Colony *Government Gazette* for the 15th December, 1905, and to certain Town Regulations. The first Ordinance is entitled "to amend the Laws relating to Passes", and it requires every male Coloured person to hold a pass for a certain period, renewable from time to time. Another Ordinance is "to regulate and control the procuring and engaging of coloured people to do work or labour within or beyond the borders of the Orange River Colony". The method, according to which the framers of the Ordinance would "procure" Coloured labour, is by licensing labour agents, who may employ "runners or messengers to procure, ply, or seek for coloured labourers". The messengers are to hold 5/- permits. There are sections governing the issue of licenees to such labour agents, and the usual safeguard against abuse of such licences or misrepresentations by labour agents. It has, we suppose, become a recognised thing in South Africa for such labour agents to be appointed for "inducing Kaffirs to work". Some call such a system a gentle coaxing; others call it a modified form of forced labour. We cannot question the policy that has been sanctioned for a long time, and its criticism does not lie within our domain. Unfortunately, the term "Coloured person" is, in the Orange River Colony, interpreted invariably to mean "all coloured persons, who, in accordance with laws or customs, are called Coloured persons, or are treated as such, of whatsoever race or nationality they may be". It, therefore, includes Asiatics,

Malays and others. Both the above-mentioned Ordinances on that account are open to very serious objections, and we cannot understand why the studied insult implied should be irritatingly kept up. Lord Selborne, in his reply to the British Indian Association, has admitted that there are very few Asiatics in the Orange River Colony. Why, then, should the offensive definition be maintained? If it is, in practice, inoperative, the only reason for its existence can be for the wanton pleasure of the inhabitants of the Orange River Colony, who wish to triumph over this implied degradation of the Asiatic races. It is these gentlemen who were pleased, in the Republican days, to describe Indians as those who considered their women as soulless, and as being a people known for the loathsome diseases from which they suffered. Must the authorities continue to feed the flame of such unreasoning, ignorant prejudice?

We have referred to Town Regulations, and we find the old story repeated for the Municipalities of Dewetsdorp and Brandford — both of them townships bearing glorious names. These Regulations are of the same type as those which we have reproduced often in these columns. They are framed to control the movement of Coloured people, even the possession by them of cattle, horses, mules, sheep or goats! No Coloured man "may run on the Town Commonage more than four cattle, horses, or mules, and eight sheep or goats, for which he shall pay monthly 1/- per head for large stock, and three pence per head for sheep or goats". No Coloured inhabitant of the Location may have a stranger coming to him without notice being given to the Town Clerk, nor may an entertainment or a gathering be held without such permission. He may not walk even within the Location after eleven o'clock at night, "except for urgent reasons". We have said enough to revive our readers' recollections of similar by-laws for other townships. Are these by-laws, we ask once more, necessary for the protection of the predominant race, so far as British Indians are concerned?

Indian Opinion, 30-12-1905

185. DISUNITY AND RIOTS IN THE HEIDELBERG COMMUNITY

The Muslim community in Heidelberg has for some time past been divided over the question of the local mosque, and this has led to the formation of two factions. Though the dispute was taken to a law court, where it was decided, unity in the community has not been restored.

This is a matter for great sorrow. That a quarrel regarding a mosque should be taken to a court of law is, we believe, in itself a thing to be ashamed of. But it is worse when the dispute continues even after it has been to the court. We are not going to adjudge who is at fault. We would only say to both the parties that such a quarrel is a stain on the whole community. We in this country are closely watched by all. It would

be, we believe, a disservice to ourselves if we expose our faults in public under such circumstances. We still hope the members of both the parties will take thought and end the dispute.

We give below a translation of a Special Correspondent's report published in the *Transvaal Leader* of the 23rd instant, which will show how serious the matter is :

> Our Heidelberg Correspondent has sent us a telegram regarding the serious developments among the Arabs[1] there. Fortunately, the damage is not so great as was apprehended, though the dispute was serious. The peace of a quiet town like Heidelberg was disturbed at noon as a result of the misbehaviour of the Arabs. The quarrel started at a meeting of the trustees of the mosque held in the court building. At last, it became so serious that the police had to be called in to prevent bloodshed. The news having spread through the town, many onlookers collected in the Market Square to see the murderous rioting. Mr. Coutsey and Mr. Gisso tried hard to quieten the parties, but those responsible for the breach of the peace would not be mollified. For a time, the situation appeared very serious. Sticks and brickbats were freely used. The meeting became a pandemonium. From words, they came to blows. It is impossible to imagine what would have happened, had not the police arrived in time. An Arab's head was broken. The police thereupon cleared the room of all the men. Before the might of the police the excited Arabs scattered like straw before the wind. For a time it appeared that the police intervention had put an end to the strife. But on coming out, the Arabs started rioting again; and all efforts to quench the conflagration were in vain. One can only guess how the rioting started. But the matter must have been serious, for our Correspondent says that the conflagration has not yet subsided. The police still remain posted near the Town Hall. There is thus no cause for fear. The quarrel is confined to the Arabs only and the white population need not be alarmed. Both the parties say, however, that they will fight it out in the open. All was quiet last night, but the quarrel has not subsided and the danger of further disturbances persists.

Who will not feel ashamed to read this? We have to hang our head from shame even while translating this. We hope the Heidelberg people will realize their folly, feel ashamed of themselves and return to normal.

[From Gujarati]

Indian Opinion, 30-12-1905

[1] Indian Muslim traders

186. EDUCATION AMONG THE KAFFIRS

A journal, named *Invo*, is published in the Cape Colony for the benefit of the Kaffirs. Mr. Tengo Jababun, a Kaffir, who is its proprietor, seems to be striving for the advancement of his community. In the context of the discussion that is at present going on about the spread of education among the Kaffirs, Mr. Tengo Jababun is actively working for the founding of a huge college for Natives in South Africa. The object of his tour is twofold : firstly, to collect a big fund for the college, and secondly, to obtain signatures on a petition emphasizing the need for such a college and requesting the Government for assistance.

Mr. Tengo Jababun interviewed the Editor of the *Transvaal Leader* who has published his statement in full. Mr. Tengo hopes to raise £ 50,000 from among the Kaffirs and to get 2,00,000 signatures from them for his petition.

Mr. Tengo hopes to acquire the present Government school for Kaffirs and the adjoining site at Lovedale and there build a big institution for imparting higher education to the Kaffirs.

Out of the 836 Kaffirs from Lovedale who passed the Cape University examinations during 1886-1900, 13 boys passed the Matriculation Examination. In all, 768 Kaffir teachers have been trained by the Lovedale Institute. During this period, the Kaffirs in Lovedale paid £ 63,734 towards fees and other expenses.

[From Gujarati]

Indian Opinion, 30-12-1905

187. AWAKENING IN CHINA

It appears that Japan's victory has led to a greater stir in China than one might suppose. The people there have begun to think of re-organizing their army on a sound basis. Seven students belonging to the Royal family have recently gone to London for training in armament factories. A few others have proceeded to Germany to be trained in the manufacture of Krupp guns.

[From Gujarati]

Indian Opinion, 30-12-1905

188. LETTER TO HIGH COMMISSIONER'S SECRETARY

JOHANNESBURG,
January 3, 1906

TO
THE PRIVATE SECRETARY
TO HIS EXCELLENCY THE HIGH COMMISSIONER FOR SOUTH AFRICA
JOHANNESBURG

SIR,

I have the honour to acknowledge receipt of your letter of the 20th ultimo with reference to certain Draft Ordinances published in a recent issue of the *Government Gazette* for the Orange River Colony.

I venture to invite His Excellency's attention to the fact that it is not stated in my letter of the 22nd ultimo that the Ordinances referred to do not apply to British Indians. The contention of my Association is that the Ordinances in question do apply to British Indians in theory but they do not in practice, and it is for that very reason, that the definitions [are] taken from the old law, that my Association submits it is an unnecessary insult to the Indian community to retain the definitions. A continuous inclusion of British Indians in the term "coloured persons", as it is understood in the Orange River Colony and other parts of South Africa, has resulted in very serious injustice being done to them. My Association, therefore, humbly ventures to think that in all new legislation at any rate the definition should be amended so as to avoid the offence which the community, represented by my Association, feels so keenly. Moreover, I would venture to invite His Excellency's attention to the fact that there is already on the Statute-book of the Orange River Colony special legislation affecting Asiatics and, therefore, British Indians.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 20-1-1906

189. LETTER TO M. H. NAZAR

[JOHANNESBURG,]
January 5, 1906

DEAR MR. NAZAR,

I have been discussing with Chhaganlal the question of Tamil and Hindi editing. I see that Pillay must go. There is nobody to replace him. The more I think, the more I feel that we ought for the present to do away both with Tamil and Hindi. We do not give the right stuff. We are not in a position to do so. I know there are drawbacks, but I do feel that we have to put up with these drawbacks because the advantages to be gained by dropping Tamil and Hindi are many. So long as we make a definite statement that it is our intention, as soon as we have a proper staff, to resume Tamil and Hindi, I do not think we need be afraid. I am doing all I can to prepare for the Tamil work myself. Maganlal and Gokuldas will also do likewise, but until then I think that it is very necessary to drop both. Tamil will have to be dropped in any case; Hindi may therefore go with it. I shall thank you to let me have your opinion as soon as possible.

Yours sincerely,

M. H. NAZAR, ESQ.
P. O. Box 182
DURBAN

From a photostat of the office copy : S.N. 4295

190. THE OUTLOOK

We gave, last week, a retrospect of the Indian position in South Africa[1] during the year that has just closed. We propose this week to dive into the future, and to ascertain whether there is any possibility of a better hope. We are inclined to think there is. First, because the Indian cause is just, and every just cause is its own strength. It can, therefore, only be spoiled by the Indians themselves giving way to despair and consequently lethargy. Secondly, although Lord Selborne has not given any definite clue to his policy regarding Indians, his desire to serve conscientiously all the subjects of the King-Emperor gives very good ground for the hope that when actual legislation in the Transvaal is passed, he will have given it a shape that will at least remove the present intolerable uncertainty, and do away with the wanton degradation that the present Asiatic laws in the Transvaal imply. If such a position be secured in the Transvaal,

[1] *Vide* "A Retrospect", pp. 167-9.

seeing that it gives the lead to the other colonies in South Africa, it may not be unreasonable to suppose that, to a certain extent, the condition of Indians will improve in the other parts of South Africa also. But, above all, we have a right to expect a change for the better from the new Government at Home. Mr. John Morley[1] is the custodian of the interests of the millions of the inhabitants of India. There is every reason to think that the Government will outlive the impending general election, and will have a good working majority in the House of Commons. Mr. John Morley has not hitherto worked half-heartedly in anything he has taken up. His sympathies for the weaker party are well known. A moderate appeal to him, therefore, on behalf of Indians in South Africa cannot fail to obtain a good hearing. No matter how sacred may be the independence of self-governing colonies, he is not without remedy against oppression by the stronger over the weaker party. There is, too, ground for the hope that Lord Elgin[2] will not give away the position of British Indians. But most important of all must always remain the efforts of the Indian community from within. We have pointed to extraneous circumstances to show that the position of British Indians in South Africa is not entirely cheerless, but self-help alone can be the primary cause for any amelioration in that position. No Colonial Secretary, no Indian Secretary, no High Commissioner, however sympathetically inclined or desirous he may be to help, can do any substantial good, unless they have the hearty co-operation of the Indians themselves. They must show utility[3] of purpose, co-operation and strenuousness in fighting their own battles. Our Gujarati columns have shown that the people all over South Africa are desirous of attaining to a larger measure of these attributes. We have received ample encouragement for greater effort from what is at present going on in Bengal.[4] The Indians in that Presidency are, under circumstances the most adverse, exhibiting an unprecedented spirit of co-operation, self-sacrifice and patience. Professor Gokhale and Lala Lajpat Rai have shown, during their campaign in England, what even two earnest workers can do for a cause. How can Indians in South Africa, then, do otherwise than march boldly with the progressive current which is today impelling the Indian nation onward to its goal?

Indian Opinion, 6-1-1906

1 (1838-1923), Secretary of State for India, 1905-10
2 Secretary of State for the Colonies, 1905-08
3 The word should perhaps be "unity".
4 The reference is to the movement against Partition.

191. THE STATUS OF BRITISH INDIANS

As anticipated by us, the Indian National Congress did its duty towards Indians in South Africa, by passing a resolution, at its recent sitting at Banaras on the subject of the treatment of British Indians in this sub-continent, praying, as a means of extorting relief, for the suspension of the supply of indentured labour to Natal, until the "most British" Colony sees its way to redress[ing] the existing intolerable disabilities and recognises Indians as equally [*sic*] members of the Empire. We heartily congratulate Congress on thus once again publicly drawing attention to the subject, and supporting Lord Curzon's policy in this matter as declared by him in his last Budget speech at Simla.

Those who have kept themselves informed of affairs in India will have noticed that, specially since 1897, the entire Indian population, Anglo-Indian as well as Indian and the whole Indian Press, English and vernacular, have voiced persistently the sentiments to which the Congress resolution gives expression. Unfortunately, the system of government in India is such as to give very few opportunities for the responsible officers to publicly announce their opinions on public matters, however serious they may be; and the natural result is that it is very difficult to know them. It is for this reason, chiefly, that we find members of both Houses in England putting questions to the Secretary of State for India, and thus obtaining glimpses of what may be in the mind of the Government of India; and Indians in South Africa owe no little gratitude to such champions of their cause as the East India Association, Sir M. M. Bhownaggree, Sir Wm. Wedderburn and Sir Chas. Dilke, who by constant correspondence and timely questions have occasionally succeeded in eliciting something of the opinion of the Indian Government in the matter of the position of British Indians in the Colonies. Our readers cannot have forgotten the several meetings of the East India Association, held specially to discuss this subject, when speakers disclosed what had passed between them and the Secretaries for India and the Colonies, individually; but proper light was only thrown on the ideas of the Government of India in this matter when an influential deputation waited on Lord George Hamilton[1], and His Lordship gave a frank reply. Since then, vigorous efforts have continued to be made, with the result that Lord Curzon deemed it politic to take the Indian public into his confidence, and seized the last Budget speech as an opportunity for breaking the seal of secrecy (which, for reasons best known to itself, the Natal Government still very zealously guards) by publicly declaring the attitude and policy of his Government in the matter, and thus satisfying the millions under his care that he and his advisers were fully alive to the seriousness of the situation, and that they

[1] Secretary of State for India, 1895-1903

would leave no stone unturned to secure justice for the tens of thousands of His Imperial Majesty's "loyal and beloved" subjects, who have emigrated to the Colonies with the view of bettering their material condition within the Empire.

Lord Curzon then said in the course of a weighty pronouncement:

> We have informed the Natal Government that we reserve to ourselves the fullest liberty to take at any time such measures in regard to emigration to that Colony as we may think necessary in order to secure proper treatment for our Indian settlers; and we have recently again declined to take any step towards facilitating the emigration of labourers under indenture until the Natal authorities substantially modify their attitude.

But there is one point about this matter — and that the chief one — which has not been sufficiently emphasised. It would seem that the treatment of British Indians in South Africa has not been raised above the arena of mere bargaining, and the rights of Indians as British subjects, apart from the special services in the terms of their indenture, appear to be ignored so far as possible by the Natal Government, and not adequately insisted on by the Government of India. Lord Curzon recognised that the need of indentured labour "might prove a powerful lever in our hands in securing better treatment for Indians generally in South Africa"; but, as we have said, this would be *extorting* relief and not securing it on high Imperial grounds. It would seem that were the supply of indentured labour to be stopped, the Government of India would feel itself powerless to protect its own subjects in South Africa. The position of British Indians would be a truly sorry one if that were so. But such a thing would be too anomalous under the British flag. We have now in Mr. John Morley, the new Secretary for India, a sympathetic, honest and most capable man, and in Lord Elgin, the Colonial Secretary, a statesman of broad views and large experience, who has himself been Viceroy of India. When it is remembered that Lord Minto, the present Viceroy, was Governor-General of Canada, it may reasonably be hoped that the question of the status of British Indians will be definitely and satisfactorily settled in the near future.

Indian Opinion, 6-1-1906

192. INDIANS IN THE O. R. C.

Lord Selborne has sent the British Indian Association a prompt and courteous reply to its representation[1], protesting against the definition of the term "coloured person" in certain draft ordinances recently published in the O. R. C. *Government Gazette*. We venture to think that Lord Selborne has misread the representation of the Association, which has not stated that "none of the ordinances referred to would apply to British

[1] *Vide* "Letter to High Commissioner's Secretary", pp. 162-3.

Indians". It has said that, "in practice", they will not apply. The two statements are quite different. His Excellency has, moreover, justified the definition of "coloured person" on the ground that it is a legacy from the old Government. But British Indians object to the definition for that very reason. Their position is this. The ordinances will not in practice apply to them. The Boer Government insulted the Indians by classing them with the Kaffirs. Now there is no occasion to perpetuate a needless insult. The argument seems to be unanswerable. It is a pity that His Excellency, in spite of his wish not to offend, has not seen his way to grant the very reasonable request of the Association.

Indian Opinion, 6-1-1906

193. PAYMENT OF THE POLL-TAX

The Poll-Tax, as was to be expected, does not seem to be paid with much enthusiasm, judging by the meagre response to date. The trouble will begin towards the end of next month. The authorities will not have an easy task in discriminating between those who can pay and those who cannot. But one thing, at all events, seems clear: the Government appear determined to squeeze blood out of stones. Some time ago, an Indian approached the Colonial Secretary, asking if Government would be prepared to extend the time of payment in the case of those who were dependent upon their meagre crops to provide the necessary sovereign, and received a reply that they were not prepared to do so, but suggesting that such people could raise a loan on the security of their crops. One would have thought that, in a civilised country, a man who was living such a hand-to-mouth existence that he had no money left after planting his crops would not be expected to pay the tax. But such a sorry condition appears to the authorities to be comparative affluence. There is evidently something very rotten in a State that has to descend to such depths as these. The authorities might have gone a step further and suggested that the poorest man could raise the money to pay the tax by mortgaging his body for dissection purposes. But we might point out that, according to section 14(4) of the Act,

> any person who shall prove that he is unable through poverty to pay the tax shall be excused therefrom for the time being, but this excuse shall not prevent a subsequent prosecution or action if such person shall afterwards become able to pay the tax and fails to do so.

It appears, therefore, that persons so placed as the correspondent referred to can plead poverty and pay the tax later from the proceeds of their crops. There will be no need whatever to go the length of raising a loan on the growing crop (and paying usurious interest), since the Act provides for this very contingency.

Indian Opinion, 20-1-1906

194. MANSUKHLAL HIRALAL NAZAR[1]

It was in the dark days of December, 1896, that Mansukhlal Hiralal Nazar landed in Durban, a perfect stranger. He intended to live a quiet life, but a patriot of his type was not able to sit still when he saw his countrymen needing the help of a guiding hand during those trying times. The Durban Demonstration[2] was then brewing. Meetings were held in the Town Hall to protest against the immigration of Indians. The Indian passengers on board the *Naderi* and the *Courland* were threatened with dire results if they attempted to land on the shores of Natal. It was then that Mr. Nazar arrived on the scene, and was hailed as a deliverer by the Indian community. Not a soul knew who he was, but his magnetic personality and the authoritative manner in which he spoke about the duty of the people at the time attracted the leaders to him immediately, and it is difficult to say what the Indian community would have done had Mr. Nazar not arrived at the time. He remained closely closeted with Mr. Laughton, who was acting as counsel for the community, and I have it from Mr. Laughton's own lips that Mr. Nazar's assistance and his suggestions at the time proved to him of the utmost value. From that day to the date of his death, Mr. Nazar placed the public cause before his own; his dream of leading a private life was never realised, and though people were never allowed to know it, for the cause of his countrymen Mr. Nazar has died a pauper. For days together he used to live away from Durban, in a secluded home in Sydenham,[3] existing on nothing but a little milk and a few biscuits, and time alone will show the nature and value of the unostentatious services rendered by Mr. Nazar.

He was born in the early 'sixties, and belonged to a family of noble traditions and to one of the most cultured castes in India, namely, the Kayastha division. As is shown by his family name, the Nazars, in the early days, must have served the Mogul emperors as trusted officials. The late Mr. Hiralal Nazar, the father of the subject of this memoir, was one of the earliest products of English education in the Western presidency[4], and was a tried servant of the Government. He was a civil engineer, and, by his ability and strength of character, inspired so much confidence, that the Government allowed him to possess a knowledge of the secret defences in the fortress at Bombay. Mr. Nazar was very nearly related to the late Justice Nanabhai Haridas. He was educated in Bombay, and having passed his matriculation examination with distinction, he prosecuted his further studies at the Elphinstone College at Bombay. As a rule, he was easily first in his class, and gave promise of a

[1] Died on January 20, 1906

[2] *Vide* Vol. II, p. 154 *ff.*

[3] A suburb of Durban

[4] Bombay

brilliant career, but being of a restless turn of mind, he never finished his studies. He imbibed from Mr. Dadabhai Naoroji and the other Indian patriotic giants of the time the idea of using his life for the service of his country, and he was, therefore, instrumental in establishing an Un[der]graduates' Association which vied with the older established Graduates' Association, under the brilliant chairmanship of Sir Pherozeshah Mehta.[1] Memorials that were drafted by Mr. Nazar and presented to the Government about University Reform showed Mr. Nazar's brilliant penmanship and his political turn of mind. He also studied for four years at the Grant Medical College, and was thereby able to receive a fair amount of knowledge of medicine which was very useful to him in after-life. Mr. Nazar did not wish to accept any service, and belonging to the Hon. Mr. Dadabhai Naoroji's school of thought, he considered that the salvation of India must come both from within and from without, and that education was not to be used as a means for obtaining position nor was it to be divorced from commerce. He and his talented brothers, therefore, set out for England, and threw themselves into the commercial strife with great energy, but Mr. Nazar was always a politician first and everything else afterwards. He, therefore, continued his public work in London. He identified himself with many useful institutions, and was elected a delegate to the Oriental Congress that was held in Christiania.[2] He came into contact with the late Professor Max Müller and many other Orientalists, and by his accurate knowledge of Oriental literature, commanded their admiration. But Mr. Nazar was also something more. He was a journalist of a very high type. He used, at one time, to be very intimately connected with the *Advocate of India* to which he contributed not a little, free of charge. He used to correspond with many well-known newspapers in India as if he was preparing for a similar career in Natal.

Not having succeeded so well as he wished to in his commercial affairs in Europe, all over which he had travelled more than once, he migrated to South Africa. The story of his work in Natal, which he made his home, is soon told. Instead of developing his commercial work, he threw himself heart and soul into public work. In 1897, he was sent to England as a special delegate to voice the grievances of the British Indians. There he met the late Sir William Wilson Hunter,[3] Sir Lepel Griffin,[4] the Hon. Mr. Dadabhai Naoroji, Sir Mancherji Bhownaggree, and many other public men. Sir William Hunter was so struck with Mr. Nazar's ability and moderation that he devoted a special article in the columns of *The Times* mentioning Mr. Nazar's work. The late Lord Northbrook, Lord Reay and other Anglo-Indians gave him a patient hearing, and as a result of his work, the East India Association took

1 Prominent Indian Congressman; *vide* Vol. I, p. 384.

2 Oslo, Norway

3 (1840-1900); authority on Indian affairs and leading member of the British Committee; *vide* Vol. I, pp. 381-2.

4 A member of the Indian Civil Service, and administrator in the Punjab

up the cause of British Indians most warmly. I do not wish to lay stress on Mr. Nazar's work in that direction. I wish to raise no discordant note. His most imperishable work was all done behind the scenes, and it consisted in nourishing the tender plant of mutual understanding between the two communities in South Africa. He served as a link between the two. He was a politician of a high order. There was nothing of the agitator about him. His work was all quiet. He interpreted the best traits of each community to the other. Whilst he advocated strongly the rights of his countrymen, in season and out of season, he placed before the latter their responsibilities, and always counselled prudence and patience. He was pre-eminently a friend of the poor. The poorest class of Indians found in him a faithful adviser and friend. When the Natal Indian Ambulance Corps[1] was raised, everybody advised him, because of the heart disease from which he then suffered, that it was not necessary for him to take an active part in the work of the Corps, but he would not listen, and volunteered his services as a member, and it was there that he used his knowledge of medicine to good purpose.

Without him this journal would never have come into being. In the initial stages of its struggle, Mr. Nazar took up almost the whole of the editorial burden, and if it is known for its moderate policy and sound views, the fact is due, to a very large extent, to the part that Mr. Nazar played in connection with it.

An Indian reading this account will understand thoroughly what Mr. Nazar was, when I state that he was a real *Yogin*, a cosmopolitan Hindu, knowing no distinction as to caste or creed, recognising no religious differences. His one solace in life was the *Bhagvad Gita*, the "Song Celestial". He was imbued with its philosophy. He knew the Sanskrit text almost by heart, and the writer of this memoir is personally aware that amid his sorest trials — and he had his full share of them — he was in a position to preserve fairly perfect equanimity under the inspiration of that teaching. To an orthodox Hindu, some of his ways would appear to be strange, but Mr. Nazar was undoubtedly a strange mixture. It is not the writer's purpose to scrutinise the character of the dead man. Indians will have to search far and wide before they will be able to find Mr. Nazar's equal. He disdained praise and never wanted any, and whether he was blamed or praised, he never allowed his public work to be affected. We do not stumble upon such selfless workers anywhere and everywhere. They are few among all communities. Time alone will show what the Indian community and, shall I say even the European community, has lost in Mr. Nazar.

M. K. GANDHI

Indian Opinion, 27-1-1906

[1] Organised by Gandhiji during the Boer War, 1899-1902; *vide* Vol. III, pp.137-41.

195. BLACK AND WHITE MEN

Under the above heading, Mr. H. W. Massingham contributes a powerful article to *The Daily News* of the 5th inst.,[1] dealing with the attitude adopted by the white community in South Africa towards the Coloured races. Mr. Massingham, with that humanitarianism that we are accustomed to attach to his name, has traversed every popular fallacy on the Colour question, and has done the Coloured community of South Africa an extremely great service. We have no fault whatever to find with his method of dealing with the subject, but we would point out the inaccuracies that appear in the portion of his article wherein he refers to the question of British Indians in the Transvaal. Mr. Massingham is apparently of the opinion that Law 3 of 1885 does not forbid them to hold land. In this contention, of course, he is quite wrong. Mr. Massingham commits the further error of supposing that Indians are "still allowed a share of the town foot-paths". This is technically incorrect, for, by reason of a well-known judicial decision, no Indian has the right to use any municipal foot-path, and may, at the will of the first policeman, be curtly ordered into the middle of the road. These errors, however, do not diminish the value of Mr. Massingham's timely protest against the supercilious sneer that has become so unfortunate a convention in white South Africa, when dealing with the Coloured races that inhabit the country.

Indian Opinion, 3-2-1906

196. SIR DAVID HUNTER

It is with pleasure that we note Sir David Hunter intends to continue to make Natal his home, and that he has expressed his willingness to put his own wishes aside and entertain the idea of entering Parliament when he returns from his tour, should his fellow-citizens ask him to do so. That they will request him to represent them is certain, for, on all hands, Sir David's special fitness for parliamentary service is acknowledged. Although the Indian residents of Natal will have no vote in his election, their voice will none the less be raised to support him. Indians owe much to Sir David, for, in his position as General Manager of the Natal Government Railways, they have always found him not merely courteous but always considerate also. It is chiefly [due] to his sense of justice that Indians have the ordinary conveniences on the railways, instead of being compelled to travel only in a third-class compartment, as was desired by many people in the Colony; and, if their

[1] The use of the word "instant" makes it evident that this article was written in January, at least three days in advance of the date of publication.

treatment by some of the railway officers is not all that it might be, it is not the fault of Sir David. He has also taken an active and practical interest in Indian education. Sir David is a fine type of the British gentleman, and the Colony has only honoured itself in honouring him. We wish Sir David a pleasant voyage, a pleasant tour, and a speedy return.

Indian Opinion, 3-2-1906

197. OUR TAMIL AND HINDI COLUMNS

We regret to announce that we are compelled to suspend our Tamil and Hindi columns for the time being. We have struggled against great difficulties in keeping on these sections, owing to the difficulty in securing the permanent services of the necessary editors and compositors. We have been painfully aware of the fact that for some time past our Tamil and Hindi columns have not been kept up to the level we desire. We are, therefore, reluctantly obliged to take this course until such time as the members of our staff, who are training for the work, are ready and able to do justice to the two great languages.

Indian Opinion, 3-2-1906

198. THE SHAH OF PERSIA

The Shah of Persia has granted his subjects a new Constitution and declared his intention to run the government in the manner of the Western countries. The people have been given a share in the governance of the land. If things really proceed as indicated, the Kingdom of Persia will prosper greatly. There is no doubt that all this is due to the recent Japanese victory.[1]

[From Gujarati]

Indian Opinion, 3-2-1906

[1] In the Russo-Japanese War; *vide* "Russia and India", pp. 131-2.

199. LETTER TO COLONIAL SECRETARY

JOHANNESBURG,
February 9, 1906

TO
THE COLONIAL SECRETARY
PRETORIA

SIR,

My Association has been informed from various sources that, after the change of the Permit Office,[1] the following innovations have been made, without any warning to the Indian community, whether through my Association or otherwise.

1st. The age of minority of children who may wish to enter this country has been reduced from under sixteen to under twelve.

2nd. Affidavits of guardians are not accepted; that is to say, only those whose parents are residents of the Transvaal are allowed to come.

3rd. Witnesses for refugees outside Pretoria are now being examined by Resident Magistrates in the various districts, with the result that the applications of many refugees have, for the present, been indefinitely hung up.

My Association respectfully protests against the Indian community being thus taken unawares with reference to the above innovations. My Association has, as a rule, been at least kept informed of any contemplated changes, and, in some cases, the Government have been good enough to even consult my Association. It has come to my Association, therefore, as a disagreeable surprise that serious changes affecting the Indian community have been made in the Permit Regulations, without any notice whatsoever, and then, too, the Indian community is allowed to know these things only through actual instances.

As to the innovations themselves, it is submitted on behalf of my Association that they are calculated to do very serious harm to the community. It is difficult to understand why the age of minority has been still further reduced. My Association invites your attention to the fact that nowhere else in the British dominions have children under sixteen been prevented from entering British dominions where their parents have been allowed the right of entry.

It is a matter of the gravest importance to the Indian community that the domiciled Indians should be able to bring in their children without any difficulty. Why a child of thirteen years or fifteen years should, for instance, be prohibited from joining his parents, and receiving, say, his education under them, it is difficult to understand. My Association

[1] *Vide* "Transvaal Indians and Permits", pp. 192-3.

further draws your attention to the fact that the rule does not apply to the non-Asiatic communities in the Transvaal.

As to the second innovation, hitherto orphans have been allowed to join their guardians. Under the new rule, such children will be prevented from entering the Transvaal. My Association need hardly point out that such a rule cannot but cause very great hardship.

As regards the third innovation, if the Resident Magistrates are to carry on investigations, it will cause almost interminable delay. There are refugees whose applications have been pending even for the last nine months, and if all such applications are to be referred to Resident Magistrates in the various districts, enormous delay will be caused. Moreover, there will be no continuity of procedure as to the evidence to be taken, if each town is treated separately.

My Association further submits that, when witnesses reside outside Pretoria, it will expedite matters considerably, and secure uniformity of procedure, if the same official were to be appointed for the examination of witnesses throughout.

My Association further begs to point out that it is necessary, in the interests of justice, that there should be a periodical visit by an official to attend to those requiring permits in Johannesburg, seeing that nearly seventy-five per cent. of the refugees are destined for Johannesburg or the surrounding districts. Whilst the central offices may remain in Pretoria, the mechanical work of issuing permits and taking thumb-impressions should, in the humble opinion of my Association, so far as the Johannesburg refugees are concerned, be done in Johannesburg.

Nothing has yet been known with reference to the question of whether Indian women are or are not to hold separate permits.

My Association submits that the matters referred to herein are of very vital importance, and trusts that they will receive the attention they deserve. I respectfully request an early reply.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 17-2-1906

200. LETTER TO TOWN CLERK

JOHANNESBURG,
February 10, 1906

TO
THE TOWN CLERK
JOHANNESBURG

SIR,

The attention of my Association has been drawn to certain recommendations made by the Manager of the Johannesburg Tramway system, for adoption by the Town Council, as regards the use of the electric tram-cars by the Coloured people.

My Association ventures to think that, in making these recommendations, the Manager has taken no note of the sentiments of the Coloured community, or rather the British Indian community, with which my Association is concerned. My Association feels that the recommendations are scarcely meant to supply the want of British Indians. If Coloured servants may use the roofs of the tram-cars when they accompany their masters, it is very difficult to see why other Coloured people may not use them. The suggestion to run special tram-cars is hardly feasible, as the Coloured community will not then be able to have the same kind of service as the European community. The recommendation that trailer-cars should be attached to the ordinary cars, for the use of Coloured people as well as for carrying parcels, is, in the humble opinion of my Association, highly insulting. My Association submits that British Indians are entitled to the same facilities as any other community in Johannesburg, with reference to the use of the tram-cars. At the same time, my Association fully recognises the prevalent prejudice and, therefore, suggests that the inner portion of the tram-cars may be reserved for Europeans only. That would leave the roofs free to the other communities. Indeed, there is no reason why compartments may not be made even in the inner portions of the tram-cars, but failing that, my Association trusts that the suggestion above made will be accepted by the Town Council. I am to place on record that, as the position stands at present, Coloured people are by law perfectly free to make use of the municipal tram-cars. It is only their forbearance which prevents them from making use of the cars.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

The following are the recommendations of the General Manager above referred to:

> 1. That Coloured people should be allowed to travel on the same cars as white persons when they are domestic servants and are with their master or mistress, and that they be required to sit only on the top of the car and occupy the back seats arranged at the head of each staircase, viz., on the four seats at each end. To be charged ordinary fares.
>
> 2. That, where traffic is sufficient on any route to pay to run special cars for Coloured people, arrangements be made for Asiatics to occupy the inside of the cars and Kaffirs the outside, or *vice versa.* This to be experimented with on the Fordsburg and Newtown lines.
>
> 3. Should it be found later that the Coloured traffic is not sufficient to enable special cars to be run at a profit, experiments be made with single-deck trailer cars coupled on to ordinary cars, and that this trailer type of car and also ordinary cars used for Coloured people be used for the parcels delivery business, which it is proposed to inaugurate at a later date.

Indian Opinion, 17-2-1906

201. LORD SELBORNE ON CHRISTIANS AND MAHOMEDANS

Lord Selborne is reported to have said at a Church meeting recently:

> It seems to me that men of our race forget two things, and they are thereby often accused of caring much less about religion than they really do. They are too careless about those observances which mark their religion, and they are too shy to let it be known, publicly, on which side they stand. It has often happened to me that a friend of mine travelling in the East has been struck with the Mahomedan, who, wherever he is at a certain time of the day, will spread out his carpet and kneel down and pray; and he has argued from that that the Mahomedan is a much better man than the Christian. The conclusion is not borne out by facts. The probability was that the Mahomedan was a much worse man than most Christians; but he grasped one fact, which we are too apt to forget : that if a man wants to have an influence in the world he must not be afraid of public opinion, and he must not hesitate to let it be known on which side he stands.

If His Excellency has been correctly reported, we fear he has been guilty of a grave indiscretion. "The probability was that the Mahomedan was a much worse man than most Christians" is not a statement that should be made by the King-Emperor's representative in speaking of the King-Emperor's Mahomedan subjects. Owing to his position, His Excellency has not the same liberty of speech that can be claimed by lesser mortals, and a remark of this nature coming from him is calculated to cause pain to many followers of the Prophet. But indiscretion is not characteristic of Lord Selborne's public utterances, and it is only fair to point out that he may have been badly reported, and that, instead of saying, "The probability was", he may have said, "It was possible". In the latter case, the remark would be quite unexceptionable. Up to the present, however, we have not heard that His Excellency has corrected the statement.

Indian Opinion, 10-2-1906

202. BRITISH INDIANS IN THE TRANSVAAL

Mr. Dadabhai Naoroji has added to the debt of gratitude we owe him by his thoughtfulness on our behalf at a moment when one would scarcely expect that he would have any leisure to devote to our affairs. Yet we are reminded by the re-publication, in the number of *India* to hand by the last mail, of a letter addressed in duplicate to the Secretaries of State for India and the Colonies, commenting upon the deputation on behalf of the British Indian Association that waited upon Lord Selborne[1] some time since, that the watchdog of India has been on the alert in the interests of British Indians in South Africa, even in the midst of the fierce fight of an election. Mr. Dadabhai had not waited to communicate with the two Secretaries of State until the declaration of the polls, but had devoted some portion of the extremely little leisure that was permitted him to emphasising the reasonableness of the attitude adopted by the British Indian Association. It is useless for us to endeavour to manifest our appreciation of the efforts of India's noblest patriot on behalf of his countrymen, but we would urge upon Indians in South Africa their immediate duty of endeavouring to aid Mr. Dadabhai's work by remedying the defects in their own organisation and developing still further that spirit of enterprise and solidarity without which all his work must prove abortive.

Indian Opinion, 10-2-1906

203. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
February 13, 1906

MY DEAR CHHAGANLAL,

I sent you some time ago Miss Neufliess' name as a paid subscriber. Please register her name as a subscriber if it is not already registered. Her post office box is 5889, Johannesburg. She ought to receive all the back numbers as from the first of January.

Manji N. Ghelani writes to me saying that he has not received for the current year numbers two and three. He has been receiving his papers regularly of late. You should therefore send him numbers two and three and let me know that you have done so. His box is 110, Pretoria.

Please change Mr. Ritch's address at London to 41 Springfield Road, St. John's Wood, London.

1 *Vide* pp. 144-52.

Let me know who have not paid regarding the sale of Mr. Nazar's goods.[1]

Should such changes be notified to you in future, or shall I write to Hemchand about them? I am anxious to take much of such mechanical work from your shoulders, but I want to do it cautiously. If these instructions have to pass ultimately to Hemchand, it would then cause a saving to send them directly to him. Your immediate main work is to look after the Gujarati editing and to put the books straight as soon as possible, prepare the balance-sheet and find out the cost of each building. Please let me know how far you have progressed with reference to the straightening of the books, bringing the cash book up to date and finding out the cost of the buildings.

I sent you yesterday a correct[ed] copy of the current number of *Indian Opinion*. I would like you to note all the corrections carefully and avoid them in future. We ought to make the Gujarati portion totally exceptional[2], and if in order to do that you must concentrate your energy for a month or so to the exclusion of everything else except book-keeping, you may do so. I notice Gujarati is only seven pages. Why so? How much can Gokuldas now do of the Gujarati composition? Is he working steadily? Ask him to write to me.

With reference to your suggestion about paying £2/10 to Mr. Madanjit, we ought to pay all that and more if he kept in touch with us. It is impossible to pay anything unless he would do so. That he is working away in India I can well understand, but his work must be reproduced in the *Opinion*. I told him distinctly that he would be expected to help the Paper. If he will not, I do not think that we are at all called upon to give anything to him. He has not written to me. Two letters appear to have been sent from Pretoria yesterday. Please print them.[3]

Yours sincerely,
M. K. G.

TO
C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4307

[1] *Vide* pp. 179-81.

[2] 'Unexceptionable'?

[3] The last two sentences are in Gandhiji's hand in Gujarati.

204. LETTER TO TOWN CLERK

21-24 COURT CHAMBERS,
COR. RISSIK & ANDERSON STREETS,
P. O. BOX 6522,
JOHANNESBURG,
February 13, 1906

TO
THE TOWN CLERK
P. O. BOX 344
KRUGERSDORP

SIR,

I have the honour to acknowledge your letter of the 10th instant No. 249/6558/06.

I hope that, as soon as the By-Laws are passed, you will let me know. In the meantime, my client is, as I have already informed you, continuing his Eating House.

I have the honour to remain,
Sir,
Your obedient servant,
M. K. GANDHI

Krugersdorp Town Council Records

205. LETTER TO ACTING CHIEF TRAFFIC MANAGER

JOHANNESBURG,
February 14, 1906

[TO]
THE ACTING CHIEF TRAFFIC MANAGER
JOHANNESBURG

SIR,

Mr. M. M. Moosajee has handed to my Association copies of the correspondence between your Department and himself in connection with the train leaving Johannesburg at 8.30.

You have informed Mr. Moosajee that "Coloured passengers are not permitted to travel by the 8.39 [*sic*] train from Pretoria to Johannesburg", and I suppose *vice versa*.

This information comes to my Association as a very disagreeable surprise. To the Indian business community, the prohibition would be a deprivation which would seriously interfere with their movements. To the Indian community in general, it is in the highest degree insulting.

My Association cannot escape the conclusion that this method of pandering to local prejudice on the part of a great administration would result in making the position of Coloured people thoroughly intolerable. My Association will be obliged if you will kindly let me know whether it is the intention, and if so, will kindly refer me to the law or regulation under which the prohibition has been imposed. Incidentally, I may be allowed to remark that the manner in which such prohibitive rules are, from time to time, made without any warning or notice to the portion of the community concerned is extremely irritating and inconvenient. My Association thinks that British Indians are at least entitled to know beforehand regulations that may be framed with reference to them.

I request an early reply.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 24-2-1906

206. A REPLY TO "THE LEADER"

JOHANNESBURG,
February 16, 1906

TO
THE EDITOR
The Leader

SIR,

I take the liberty of offering a few remarks on your leaderette concerning the letter of my Association addressed to the Town Clerk,[1] on the question of the use of the tram-cars by my countrymen. You have written in anger and have used threats. I cannot do either, but will venture to place some facts before you for your acceptance or refutation:

(1) My Association never contended that all Indians should be allowed to make use of the tram-cars. The right is claimed only for those who are well and cleanly dressed.

(2) Whatever may be the position in India, I need hardly demonstrate to you that no man is born a "coolie", and that the only test, so far as the use of the tram-cars is concerned, can be the personal appearance of the passengers.

(3) Does it not appear to you a little preposterous to raise the question of equality between the two races on the tramway question?

(4) My Association has emphatically disclaimed any intention to seek

1 *Vide* pp. 186-7.

the contact of any unwilling Europeans, even with the most cultured Indians, and has, therefore, suggested that the inner portion of the cars may be reserved exclusively for Europeans. The roofs of the cars, it is contended, may, without infringing upon the sacred doctrine of "inequality", be legitimately used by Indians who are properly dressed.

(5) The point made by my Association about forbearance is quite logical. "The will of the people", so far as it has been reduced to law, as my Association has been advised, leaves it open to Indians to claim the right of riding on the tram-cars. The claim, therefore, as it is legal, can hardly be considered to be "absurd".

In this connection, may I ask you a few questions? Is it logical for the white people in the Transvaal, as soon as they go to Cape Town or Natal, to ride side by side with Coloured people? Is it logical that Coloured servants who may not belong to "the higher castes", whatever that phrase may mean, should ride on the tram-cars? Is it logical, as Mr. Soutter said at the Town Council meeting, that white men who drive in dog-carts should sit next to their Coloured drivers?

My Association takes its stand upon the policy outlined by Mr. Chamberlain before the Conference of Colonial Premiers[1] at the time of the Diamond Jubilee. The Right Hon. Gentleman said:

> We also ask to bear in mind the traditions of the Empire, which makes no distinction in favour of or against race or colour, and to exclude, by reason of their colour or by reason of their race, all Her Majesty's Indian subjects, or even all Asiatics, would be an act so offensive to those peoples, that it would be most painful to Her Majesty to have to sanction it. . . . It is not because a man is of a different colour from ours that he is necessarily an undesirable immigrant, but it is because he is dirty, or he is immoral, or he is a pauper, or he has some other objection which can be defined in an Act of Parliament, and by which exclusion can be managed with regard to all those whom you really desire to exclude.

I am, etc.,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 24-2-1906

207. TRANSVAAL INDIANS AND PERMITS

The lot of the British Indian in the Transvaal is undoubtedly very uncertain and very unhappy. The letter we reproduce in another column,[2] addressed by the Chairman of the British Indian Association to the Colonial Secretary of the Transvaal, is painful reading. The permit regulations in connection with Indians have been changed from time to time,

[1] In 1897; *vide* Vol. II, p. 350-6.
[2] *Vide* pp. 184-5.

much to their inconvenience. The latest instance, however, is in the nature of a "surprise-packet". The regulations referred to in the letter in question, according to Mr. Abdul Gani, have been sprung upon the community without any notice, and these regulations are, if the information given to Mr. Abdul Gani be true, applicable to all Indians. The result will be that those who have arrived in South Africa, without notice of any such regulations, will be adversely affected. Natal may afford them no protection, nor may the Cape. They will have come with the deliberate intention of entering the Transvaal, and if the regulations in question are to be enforced, and are to have retrospective effect, they will cause illness, trouble, expense, and worry to the persons concerned. The least that one expects in a British colony, or any British dominion, is that laws are framed with due deliberation and after fair warning. Even the self-governing colonies of the Cape or Natal, when they passed the Immigration Restriction Laws, gave fair warning to the people concerned, and then, after the legislation was passed, it was not rigorously enforced immediately. They gave the steamship companies, and the community affected thereby, time to study the legislation in its actual working. The Cape authorities have only just given notice of their intention to fully enforce the laws, that is to say, two years after they were passed. In the Transvaal, they evidently believe in "rushing" things. The Peace Preservation Ordinance is a relic of the martial law period and, therefore, gives arbitrary authority to the Government. The use of such authority, during the period of war, is often justifiable, but when there is peace in the Transvaal, to invoke the assistance of that Ordinance against an inoffensive community, in the manner described in the letter to which we have referred, savours very much of Russian methods rather than of methods that are associated with the British Constitution. When we come to examine the regulations themselves, they are without doubt very irksome. The age of minority for children seems to have been suddenly reduced to under twelve years, and henceforth orphans, whose relatives may be settled in the Transvaal, will not be allowed to enter the Transvaal at all. Moreover, in the regulations, instead of the same official examining the witnesses who may be produced in support of the claim of a refugee, the authority to do so will be relegated to magistrates in the various districts, and all refugees, even after investigation is completed, will have to go to Pretoria in order to perform the mechanical act of receiving their permits. His Excellency Lord Selborne said only the other day to the Indian deputation that all restrictive regulations had to be reasonable in order to be acceptable and effective. Can such regulations as these, by any conceivable stretch of the imagination, be held to be reasonable?

Indian Opinion, 17-2-1906

208 *JOHANNESBURG TRAMS AND INDIANS*

Elsewhere will be found printed a letter addressed to the Town Clerk,[1] Johannesburg, by the Chairman of the British Indian Association at Johannesburg, with reference to the proposed regulations for the use of the electric tram-cars by Coloured people. We have no hesitation in endorsing Mr. Abdul Gani's plea. The recommendations made by the General Manager are very arbitrary, and the fact that they have been withdrawn temporarily need not lull Indians into a false sense of security, for they have been withdrawn, not because the Town Council is actuated by any greater regard for Indians than the General Manager, but because the time, so it is said, is not ripe, as the tram-cars are not to run for some time. The use of the public tram-cars in Johannesburg, as elsewhere, is a question, not merely of sentiment, but of pecuniary importance. Indian businessmen, and other Coloured people, have as great a right to public conveyances as any other community of Johannesburg. They form part of the body politic; they are called upon to bear the burdens of citizenship by way of payment of taxation, etc., and the Johannesburg municipality finds it difficult to deprive them of the right of using the municipal tram-cars. Any regulations that may be passed will have to be sanctioned by the Lieutenant-Governor; and let us hope that, should the regulations, to which we have drawn public attention, be ever sent to His Excellency, he will have no hesitation in exercising his right of veto.

Indian Opinion, 17-2-1906

209. *LETTER TO CHHAGANLAL GANDHI*

[JOHANNESBURG,]
Saturday, February 17, 1906

MY DEAR CHHAGANLAL,

I am sending some Gujarati material today. And the rest will be posted tomorrow. In so far as it is possible, I shall send the "Johannesburg Letter" every week. It will be desirable to assign it the same place [every week]. You should divide the Gujarati pages into sections and see that, as far as possible, a particular type of material always appears in the same place.

Do spend a day every week visiting some outside town, so that you can also send in a despatch about that place. Do not fail to write me a detailed letter every week. How is Hemchand doing?

Please correct all the Gujarati material carefully. Make sure that

[1] *Vide* p. 186.

the notices about the estates appearing in the Natal *Gazette* are never missed.

Let me know how much Gujarati type you have ordered. How many more pages can we have with that? We must get type enough to be able to have 12 pages next year. Send me a list of types if more is required on this account so that an order can be placed.

I hope you have read the letter about Mr. Brian Gabriel. It will be better, I believe, if he comes.

Please bear in mind what I said regarding Urdu. Do not do any composing work if it hurts your eyes.

Blessings from
MOHANDAS

From a photostat of the Gujarati original in Gandhiji's hand : S.N. 4310

210. LETTER TO CHHAGANLAL GANDHI

[JOHANNESBURG,]
Sunday, February 18, 1906

MY DEAR CHHAGANLAL,

I have your letter. I sent some matter yesterday and am sending more today. In the "Johannesburg Letter" that I sent, insert a separate heading beginning from "It is learnt from Reuter's cables...". I shall give as much as I can every week under "Reuter's Telegrams" and you too may add to it. I shall make the "Johannesburg Letter" a separate item and shall include in it mostly local news. I have asked for such news-letters from other places also.

It was as well that I did not write to Hemchand. Make the best use of him there. I shall also write to him. You needs must have a man of understanding to assist you. Don't mind it even if Hemchand makes some mistakes, but go on putting the responsibility for the work on him. When we are overburdened, we should consider the relative priority of our various duties and try to do the most we can. Everything will become easy if you look at things this way. Now the first thing for you to do is to improve the Gujarati Section; this, of course, is your duty. The second, accounts; this has also to be attended to by you. The third is the collection of dues; the fourth is job-work, and the fifth Gujarati cases, which had better stop for the time being. Of course, you should always keep these in mind. You might drop Urdu for the present. You must give some of your time to your own land. You should not go out for more than two days for collecting dues or for anything else. You should not bother about the income just now. You should think of other things only after the books have been put in order. It will be all right if you devote Thursday to the reading of proofs and Tuesday and Wednesday exclusively to general reading and to writing Gujarati. It

will be enough if you go to town on Monday and Friday or Saturday. Don't worry if you can't visit the outlying places at present. It won't matter if you translate less from other newspapers. The main thing to do is to give all the important news about Natal, and this I do not find at present. It will become all right when local news begins to appear. I shall go on sending news about this place and translations from the newspapers. More skill will be called for in laying out the matter. It will perhaps do if you devote Wednesday alone to reading. Oh no, I forget; Monday would be better, for, while the types are being distributed on Monday, you can be ready with the matter. Do not become unnerved if there are many things to do. You have done well to clear your position before all your colleagues. Even a mother does not give without being asked. They will, if you ask them.

I see that it is necessary to clear the Press land, and that with our own hands. It will be nice if half an hour is given to this job, though it may be after the Press work is over. If the others do not give of their time, you brothers at least will. Hemchand will help, and I shall write to him. West also will help. You may talk to Sam even now and convince him. Bean will understand only in course of time. I feel this work should start immediately.

I still firmly hold that it is good that we have given up job-work, and that it was right for you to have stayed on in the Press. Now that there is no worry about the job-work, there won't be any need for some one to sit in the office. I believe it would be better, in so far as it is possible, to have Indians working with us instead of Kaffirs. However, you may do what you think proper. In this matter you need not depend on my judgment. I shall speak to Mr. Isaac.

What you say about Mr. Brian is exactly what I have in mind. He should do composing for the present when he does come. Do talk to Anandlal about your difficulties and get his assistance and sympathy. You may take his advice also, so that he will be pleased. Keep your mind open.

If Kalabhai has not yet got a room, arrange for him to have one immediately.

I shall find out about the advertisement that has been withdrawn.

I shall enquire about your slippers, etc., tomorrow (Monday). Entrust to Hemchand the disposal of post coming in from outside. Tell Virasami that I have not received the order so far. I shall send it as soon as I receive it.

I have nothing more to add. Have more heart-to-heart talks with West. Since the two of you alone understand the scheme better than the others, you have to be in perfect agreement first. Get Anandlal to mix with you as much as possible. Try to persuade Sam; and win over Mr. Bean gradually. He likes me, but does not understand the scheme. He is a good man and has therefore stuck to his post. His mind is more on the money because he lacks in real simplicity. Yet he won't go after

money at any price. He will do better later on. Do write me a letter every week, giving full expression to your thoughts.

MOHANDAS

[PS.]

It will not be possible for me to go there this month.

From a photostat of the Gujarati original in Gandhiji's hand : S.N. 4783

211. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
February 19, 1906

MY DEAR CHHAGANLAL,

I am returning herewith the letters addressed to the Editor. From the remarks I have made on them, you will see what I want. Please send Vali Mahomed Hala's letter about himself to Porbandar; write to him to say that a letter like that cannot be published in the *Opinion* and that you have sent it to the Director at Porbandar. It is needless to send me all the letters. Send only those about which you are doubtful.

It will suffice to observe the following rules in most cases:

(1) we should as a rule publish all letters against us, for instance, those of Habib Motan and Haji Habib;

(2) we should be chary of long harangues;

(3) we should consider who the correspondent is. If we feel that his contribution must be accepted, it should be abridged, if lengthy;

(4) we should take letters giving local news.

The reason why I asked you to print letters about the barber controversy[1] is that it is of interest to the people of Dundee. It won't be proper to close the correspondence abruptly.

Blessings from
MOHANDAS

From a photostat of the Gujarati original in Gandhiji's hand : S. N. 4311

212. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
February 21, 1906

MY DEAR CHHAGANLAL,

Received your letter. I have not, however, received the railway note. We should not mind it if we lose the advertisements from Cape Town. In any case I am writing to them. Kindly dispose of the remaining belongings of Mr. Nazar in consultation with Motilal. I am

[1] An Indian barber in Dundee, while shaving an Indian merchant, left off in the middle to attend to a European customer. The Indian community thereupon decided to boycott the barber.

writing about it to Bhatt and Adamji Sheth also. It will be better for you, as I see it, to reserve Wednesday at Phœnix for reading for the *Opinion*. If you do so, you will be able to read [other things] up to Wednesday. If, while reading, you come across anything worthy of note, put it down on a piece of paper. Start reading newspapers and writing [for *Indian Opinion*] only on Wednesday. It will be convenient, I feel, if you divide your time in this way. It will be well if you can set apart Monday or Tuesday and Saturday for going to town and other places. You will save a lot of time if, on days other than Wednesday and Thursday, you make it a rule not to read anything especially for the *Opinion* except my articles. How are you getting on with the account books?

Blessings from
MOHANDAS

[PS.]

I shall most probably send your shoes and clothes today through Sheth Abdul Gani. It will be better if Hemchand stays either with you or with Anandlal.

From a photostat of the Gujarati original in Gandhiji's hand : S.N. 4312

213. BRITISH INDIANS IN SOUTH AFRICA[1]

STATEMENT REGARDING BRITISH INDIANS IN THE TRANSVAAL AND THE ORANGE RIVER COLONY

JOHANNESBURG,
February 22, 1906

Now that the new Government has been established, the Letters Patent have been withdrawn, and a new Constitution is being drawn up, both with [regard to] the Transvaal and the Orange River Colony, it seems to me imperatively necessary to place the Indian question prominently before the new Government.

It is felt that the ordinary clauses about the right of veto being reserved for the Crown, and any class legislation being reserved for Royal sanction, are not enough. Seeing that there is intense prejudice against Coloured people, almost bordering on mania, these time-honoured clauses, which are only on the rarest occasions put into operation, can never meet the case. If responsible Government is granted without due regard for the protection of British Indians, their position under it would be infinitely worse than it is today.

Experience of Natal shows that disfranchisement of a class in a community enjoying self-government means its complete effacement. Only those members are elected who would represent the feeling of the electors. Some effective representation must, therefore, be granted to

[1] This statement was sent by Gandhiji to Dadabhai Naoroji, who forwarded a copy to the Secretary of State for India on March 20.

British Indians, or the civil rights of the resident Indian population should be otherwise fully protected.

The position in the Transvaal is becoming daily worse. Permit restrictions are applied only to Indians and are exceedingly irksome, as will appear from the pages of *Indian Opinion.*

The Railway administration have now begun to prohibit Coloured people from making use of certain train services entirely. It can easily be imagined what it must mean to British Indian traders who require to use the trains constantly. Johannesburg is a place of big distances. There has just been established an electric tram service. Coloured people, who can ill afford cab fares, are practically prohibited from using these tram-cars.

These are not sentimental matters but are such as to affect the British Indian community vitally. Unless a firm stand is taken up by the Home Government, at the rate at which things are now going, what little Indians enjoyed under Boer rule will be lost. The prohibition against ownership of land, special registration fee of £3, foot-path regulation, etc., still continue to disfigure the Statute-book of the Transvaal.

As to the Orange River Colony, the old law prohibiting the entry of any Indians, except such as accept domestic service, is still prevalent, and by-laws are being framed all over that Colony further restricting the movements of those who may be in that Colony.

Pretoria Archives : L. G. File No. 92-94 : Asiatics (1902-1906)

214. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
February 22, 1906

MY DEAR CHHAGANLAL,

I have a letter from Mr. Kitchin in reply to a note[1] I sent to him last week. He has resigned and he will retire from the editorial department at the end of next month. I have written to Mr. Bean a letter which I suppose you will read. I would like you all the same to keep yourself in touch with Mr. Kitchin because there is a great deal to learn from him. I have asked for his permission that I should show his letter to you all to read and if I can, you shall have it.

Mr. Omar is here. He tells me that there are some subscribers from Mabeli near Delagoa Bay who do not get papers regularly but they get many copies of it all at once. Do you know why?

Please put down the following subscribers as new ones. Messrs Ebrahim Abdoola & Co., Box 28, Delagoa Bay, Mr. Abdul Gani Moosa, Amreli, Kathiawar, India. My impression was that the first named firm were

[1] This is not available.

subscribers already but Mr. Omar tells me that they are not. Both these subscriptions will be paid to you by Mr. Omar when he returns to Durban.

I have heard from Mr. Gool of Capetown. He wants me to send him the Capetown list so that he can collect [monies due]. Please let me have the names of the subscribers with their addresses and names of the advertisers with the amounts that are owing.

I have received from you a batch of correspondence which I shall examine and forward on Saturday.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
c/o *Indian Opinion*,
PHŒNIX

From a photostat of the original : S.N. 4313

215. THE KING'S SPEECH

Perhaps within the memory of living men, the King's Speech has never been looked forward to with so much anxiety or expectation, according to the persons concerned, as that which was delivered during the current week by King Edward at the opening of the Imperial Parliament, and there is no doubt that it is a pronouncement of far-reaching importance. The anxiety of those who fear the Liberal policy will be deepened, and the expectations of those who had hoped much of the Liberals will, so far as promises are concerned, be satisfied.

India will be disappointed. The only mention there is to be found about India is that the papers in connection with the army administration will be published. There is no reference to the partition of Bengal; none, if the cablegram sent gives a full summary, regarding famine; but we have every reason to believe that, with a Radical Premier[1] at the helm, and with a statesman of Mr. John Morley's ability at the head of the India Office, India will not be altogether neglected.

The subject, however, of immediate importance to us is how far the withdrawal of the Letters Patent and the proposed immediate grant of Responsible Government, both to the Transvaal and the Orange River Colony, will affect the position of British Indians in those parts of South Africa. The Constitution, it is but fair to assume, to be drafted by the Liberal Ministers, will be as favourable as possible to the white settlers. It cannot be otherwise. They will be given fullest possible control over their internal affairs. The same Liberal principles should also dictate a policy of full protection for the rights of weaker parties, and the first consideration, therefore, we take it, should be given to the

[1] Sir Henry Campbell-Bannerman, Prime Minister of England, 1905-8

question of Indian representation. Under a fully representative government, to leave the Indians totally unrepresented will be to hand them over to the tender care of legislators, who will have no mercy for them, because they will have no interest in the welfare of their *proteges*. The result of non-representation, in spite of the late Sir John Robinson's eloquent plea[1], that under such a system every member would be a member for Indians, has been very unfavourable in Natal. If the constitution that will be drafted leaves the Indians out of consideration, there will be an end to all expectation of justice ever being received in the two Colonies mentioned. There is a wave of agitation hostile to Indian interests passing through the Transvaal. The Orange River Colony simply shuts its gates in the faces of Indians, and if the control of legislation regarding them is given over to responsible legislators in the respective Colonies, all the difficulties that are now being experienced by Indians will be accentuated. There will be reserved in the two constitutions the time-honoured veto, and the clause regarding non-European races; but in practice these reservations have proved very ineffective, as British Ministers have always felt reluctant to advise His Majesty to exercise the veto. Under the circumstances, if Indians are to be considered as a part of the Empire, equally important as the other races, we consider it to be imperatively necessary that their claims, as indeed also those of the other weaker races, should be specifically guarded.

Indian Opinion, 24-2-1906

216. BRITISH INDIANS IN THE TRANSVAAL

The lot of the British Indian is by no means enviable. He is being hemmed in on all sides by restrictions of the most galling nature. If he is a domiciled resident of the Transvaal and wishes to enter this country, he is met with disappointment at every step, and he is in a position to make good his claim only if he has an abundance of patience and money. Before he can get a permit to reside in the country, he is driven about from pillar to post. He has to submit to a most searching investigation, and his word is accounted for nothing, so that he has to supplement it by evidence of witnesses and of documents, before he can set his foot upon the sacred soil of the Transvaal. If he happens to have his wife with him, he is called upon to prove that he is her husband. If he has his children with him, no matter how young they may be, they must have separate permits, and he must prove that he is their father. If his children are not under twelve, they cannot accompany him on any account whatsoever. These are the preliminaries an Indian has to undergo before he is allowed to re-enter the Transvaal, which is his place of adoption. What does he find after he reaches the country?

[1] *Vide* Vol. III, p. 362.

The report of the Johannesburg Town Council meeting, in connection with the electric tram-cars, shows clearly what is in store for him. If he were a servant of a white master, he would be allowed to make use of the tram-cars, otherwise he is not to be allowed to make use of the ordinary cars. The speeches made at the Town Council meeting make very fine reading, but they are also very painful. On a matter of simple convenience for travelling, the whole of the question of equality of races was raised by several speakers. If a Coloured man makes any attempt to get justice, the cry is immediately raised that he wants to claim equality with the white men in the Transvaal. The position is simply ludicrous. Here is a vigorous community in Johannesburg. It is full of enterprise, pluck, and resource. When it comes to a question of colour, it loses all sense of proportion, and scents danger where there is none. The people of Johannesburg are afraid that their predominance and superiority will be in danger if Coloured people travel on the same cars with themselves. This reminds us of the scare of a mutiny that used to exist when Lord Ellenborough was the Governor-General of India. In those times, if the slightest thing occurred, there was immediately an uproar and nervousness; so much so, that in one of his graphic despatches, His Excellency said that, if the soldiers heard the rustle of leaves or the chirping of a beetle, they became frightened. The condition of some people in Johannesburg is not very far removed from that description of the soldiers in the early 'forties by Lord Ellenborough. In vain did Mr. Mackie Niven and his five supporters plead for a small measure of justice. His argument about the financial aspect of the question was set aside and, by a majority of sixteen to six, the Town Council decided to perpetuate the wrong that the General Manager of the Tramways, in his recommendations, had done to the Coloured community.[1] One of the speakers said that the Coloured people paid no rates or taxes, and that, therefore, they had no right to use the tram-cars. Such is the knowledge of which the enlightened city of Johannesburg gets the benefit from its Town Councillors. The Councillor in question conveniently forgot that Indians *do* live in houses in Johannesburg for which they have to pay rents as well as taxes. We may take the liberty of informing him that nearly 4,000 Coloured people, who live in the Malay Location, have to pay more than the ordinary rates and taxes in connection with the Stands occupied by them. The difference between them and the other residents of Johannesburg is that, as against such payments, they do not get the same service as the others, as anyone who has walked through the streets of the Malay Location can testify. The newly returned domiciled Indian to the Transvaal [sic], on his arrival, will find not only that he cannot make use of the tram-cars, but that he cannot even travel by any train he chooses, for the railway administration debars Coloured people from making use of some of the public trains. We print in another column the correspondence that has passed between the Acting Chief

[1] *Vide* p. 186.

Traffic Manager and the Chairman of the British Indian Association,[1] wherefrom it appears that the railway administration has notified to the station masters that they are not to allow Indian and other Coloured passengers to make use of certain trains running between Johannesburg and Pretoria. Mr. Abdul Gani has sent a strong protest to the railway administration, and we can only hope that this newest method of subjecting the Indian to indignity will be stopped. But the question is not merely one of indignity. To businessmen, it is one of serious inconvenience and loss. Thus, colour animosity has assumed a new form, in that it adds financial injury to social insult.

Indian Opinion, 24-2-1906

217. A RESTRICTION WAVE

It seems that, all the world over, different States are pursuing a policy of restriction. Thirty years ago, the then President[2] of the American Republic laid down the doctrine that everyone was welcome to America, and that on his putting his foot on American soil, he became a citizen. Today, America follows a different policy. Even England has considered it necessary to restrict immigration of aliens, and we read, in the cablegrams in the daily newspapers, that several Jews, who fled from Russian oppression, were only the other day prevented from entering England, and that one of them said that, rather than return to Russia, to avoid which he had spent his last penny, he would kill himself. The Natal *Government Gazette* of the 13th inst. published a translation of an Order by the German South-West African Protectorate. Under it, "immigration into the German South-West African Protectorate may be prohibited by the competent authorities", if an immigrant is, amongst other things, a Coloured man; there are the other usual prohibitive clauses. Thus, the colour problem is making itself felt in one way or another throughout Africa. It is useful to recall, in this connection, the fact that it was the German Emperor who, some time ago, gave currency to the idea that in the victory of Japan lay the germs of an attempt to secure yellow predominance. Though it is still accepted in certain quarters on the Continent, the general notion is that the German Emperor was indiscreet in having made such an utterance, and that there was no such fear. At the same time, if there is to be war against colour as such on the part of the great European nations, it is impossible to say that Japan, at any rate, will always sit still under the open insult offered to her citizens. It would be illogical for Europe to accept Japan as a first-class

[1] *Vide* "Letter to Acting Chief Traffic Manager", pp. 190-1.

[2] Ulysses Seymour Grant (1822-85), 18th President of the United States, 1869-77. The 15th amendment to the Constitution adopted on March 30, 1870 provides that suffrage should not be restricted on account of race, colour or previous condition of servitude.

power and at the same time treat her inhabitants as if they were uncivilised.

Indian Opinion, 24-2-1906

218. A PERMIT PILLORY

We hear and read so much about the difficulties that are placed in the way of the poor refugees getting their permits to enter the Transvaal, that we have decided from next week to open a column under the above heading, wherein we shall be pleased to publish the names of all those British Indian refugees whose applications are more than two months old, and who are still without their permits. Not that we consider two months to be at all a reasonable time required for consideration of such applications, but as we hear that there are many applications which are over six months old, we have decided to choose the greater evil, and give it publicity. Comparatively, applications two months old may, at present, be considered normal, but as for older applications, we have no hesitation in saying that their very age shows an utter want of regard on the part of the authorities for the interests of the refugees. We would, therefore, ask all those who are suffering from the vagaries of the permit administration in the Transvaal to help themselves by supplying us with their names, addresses, and the dates of their applications. We do not say that all these men are *bona-fide* refugees, but we do say that they are all entitled to a definite, clear answer, so that they may not have to remain in a state of suspense. In some cases, we understand, they are holders of registration certificates issued to them under the old Dutch Government. They are now exiles from their own adopted land. Lord Selborne has made two promises, one to the white community, namely, that no non-refugee Indian will be allowed to settle in the Transvaal. This promise is being religiously observed. The other promise was made by His Excellency to the Indian community, namely, that all applications of the refugees will receive the earliest attention, and that they will receive full facilities for entering the country. If the information at our disposal be correct, the latter promise has still to be redeemed. We hope that our readers will help us to clear up a situation that has become intolerable.

Indian Opinion, 24-2-1906

219. *TAMIL FOR THE LONDON MATRICULATION*

We have received a reply from the Secretary of the External Registrar of the University of London, with reference to the petition of the Tamil inhabitants of the Colony, requesting that Tamil may be accepted as one of the foreign languages as an optional subject for the matriculation examination of that University. Although the Joint Councils have not been able to make any recommendation to the Senate with reference to the matter, we do not think that it is one that need be dropped. Ancient bodies, like the University of London, are very difficult to move, but if the Tamil communities all over the world will persist in their efforts, we have no doubt that, ultimately, the Tamil language, which has a splendid literature, and which is the Italian of India, will be included in the London matriculation curriculum. We give the reply of the University in another column.[1]

Indian Opinion, 24-2-1906

220. *LETTER TO DADABHAI NAOROJI*

BRITISH INDIAN ASSOCIATION

25 & 26 COURT CHAMBERS,
RISSIK STREET,
JOHANNESBURG,
February 26, 1906

TO
THE HONOURABLE DADABHAI NAOROJI
22 KENNINGTON ROAD
LONDON

DEAR SIR,

I beg to enclose herewith a statement[2] showing the Indian position in the Transvaal and the Orange River Colony.

I venture to think that there should be a joint deputation waiting on the new Ministers[3] regarding the position.

I remain,
Yours faithfully,
M. K. GANDHI

1 Enclosure

From a photostat of the original : G.N. 2270.

[1] Not reproduced here

[2] *Vide* "British Indians in South Africa", pp. 198-9

[3] John Morley and Lord Elgin

221. JOHANNESBURG LETTER[1]

February 26, 1906

Tramway Case

The tramway has become nowadays a subject of much discussion among the Indians of Johannesburg. Many Indians live at Fordsburg, and there is an electric tram service between that place and the Market Square. The people, therefore, naturally ask why Indians should not be allowed to use the tram. The authorities too find it difficult to prevent the Coloured people from using the tram-car. The proposals put forward by the Johannesburg Committee have been brushed aside, and tram-cars with the label saying that they are open to use by Coloured people are now being run. On the one hand, the whites say that they have an aversion to travelling with Indians, while, on the other, one finds many whites sitting with Coloured people in tram-cars with the above label. Arrangements are in progress to file a test case in this regard in the name of Mr. Coovadia. With a view to making a test case, Mr. Coovadia accompanied by Mr. MacIntyre[2] boarded a tram-car without the above label. He was allowed to travel in that one; but, as he was boarding another, the conductor told him that he could have a seat only if he was a servant of Mr. MacIntyre; but that he would not be allowed to do so as a private gentleman. The matter is being discussed in the Press also. Mr. Daruwala addressed a letter to *The Star*, to which a white gentleman wrote a perverse reply. To this Mr. Daruwala has sent a good rejoinder. Moreover, two other whites have written on the subject, one supporting and the other opposing Mr. Daruwala.

Responsible Government for the Transvaal

The British whites have been agitated over the news that the Transvaal would shortly get responsible government. For it is feared that responsible government will mean greater power for the Dutch, which will adversely affect the mining interests. However, the building activity in Johannesburg, which continues unabated, shows that the people here are not discouraged and are still clinging to the country in the hope that they will prosper. Trade is very sluggish and will become yet more sluggish. Formerly, the Kaffirs and the Dutch made many money transactions every Saturday. The Dutch are now reduced to poverty and the Kaffirs do not now spend as freely as before.

[1] These despatches were published regularly in *Indian Opinion* as from its Johannesburg correspondent.

[2] A Scottish theosophist clerk articled to Gandhiji

Representation to Lord Selborne

The British Indian Association has addressed Lord Selborne on permits, the tramway and the railway. To this he has replied personally over his own signature, saying that he would write again after a full inquiry into all the three questions. It is to be hoped that Lord Selborne will do something to redress these grievances.

Malay Location

The condition of the Malay Location has become disgraceful. The place is full of filth. People stint and huddle together in single rooms. The latrines and the courtyards stink badly. Plague is sure to break out under these conditions, if it should rain continuously for a long time. The matter needs to be seriously considered by thoughtful men. It would not be enough for people to keep their own houses clean, but they should persuade others also to do likewise. If they do not, they will not only lose the Malay Location as they did the Indian Location, but they will be required to go and live in Klipspruit, thirteen miles away. It is no use expecting that the authorities will take special care to keep the Location clean. If anything, it is in their interest that our houses remain as unclean as possible, so that they can accuse us of uncleanliness and have us removed.

New Mosque at Johannesburg

For many years now there has been only one mosque in Johannesburg for Indian Muslims. But the Surati Memons have raised a large fund and bought a piece of land in their locality, where preparations are going on for building another mosque.

Tram-cars

Dr. Krause, a member of the Town Council here, met his voters recently and told them that he would, if he could, prevent Indians and other Coloureds from using the tram-cars; but that was not legally possible, and so he could not oppose their using the trams.

[From Gujarati]

Indian Opinion, 3-3-1906

222. ADDRESS[1] TO ABDUL KADIR

DURBAN,
[February 28, 1906]

We the members of the Natal Indian Congress cannot allow the occasion of your impending departure for India to pass without placing on record our sense of regard for the work you have done during your presidency of the Congress for the Indian community.

You succeeded a President, who, by his energy, had done a great deal of work for the Congress, and we have no hesitation in saying that the mantle fell worthily on your shoulders. You have contributed not a little to the financial stability which the Congress at present enjoys. During your presidency we have fought many a political battle, and we have found you always a willing leader amidst all the troubles. You have presided over the deliberation[s] of the Congress meeting[s] always with tact and prudence, and you have always responded, in your capacity as leader of the community, to the many calls on your purse.

As you are now going to India to enjoy well-earned rest, we wish you and yours may have a happy and successful sojourn in the land of our birth. And we hope that you will soon be amongst us again and resume your work for the good of our community.

Indian Opinion, 3-3-1906

223. SPEECH AT FAREWELL TO ABDUL KADIR

The following is a report of Gandhiji's speech made after the address had been presented to Abdul Kadir:

DURBAN,
[February 28, 1906]

Mr. M. K. Gandhi addressed the meeting first in English and afterwards in Gujarati. He referred to Mr. Abdul Kadir as a man who had done a great deal for the Indian community in Natal. He had, perhaps, a better knowledge of Mr. Abdul Kadir in political affairs than many of those present that evening. The presidency of the Congress had previously been held by men of worth and ability, who had done excellent work for the community, and it was no easy matter to follow in such footsteps, but he had no hesitation in saying that the mantle had fallen on worthy shoulders. Mr. Abdul Kadir had worked hard to place

1 The address, which was enclosed in a silver casket, was read out by Adamji Miankhan at a meeting of the Natal Indian Congress, held to bid farewell to the retiring President on the eve of his departure for India. A similar address was presented to him on behalf of the Higher Grade Indian School, Durban.

the Congress on a sound financial footing, and it was largely due to his exertions that they had succeeded so well.

Mr. Gandhi called to mind an incident in this connection. When Mr. Abdul Kadir and other members of the Congress were collecting funds, a call was made at Tongaat, where one of his countrymen shewed reluctance to subscribe, but Mr. Abdul Kadir was not to be beaten; so he and the others slept on sacks spread on the ground and waited patiently until the morning, when they were rewarded by the "surrender" of the "enemy".[1]

Such was the character of their guest. Whenever there had been need for action, Mr. Abdul Kadir had been found willing to give his time and attention. He wished him and his family an enjoyable visit to India and a safe return.

Indian Opinion, 3-3-1906

224. THE ROYAL VISIT

We extend a hearty welcome to Their Royal Highnesses the Duke and Duchess of Connaught and Princess Patricia. It is worthy of note that three members of the Royal Family are abroad, two paying visits to His Majesty's dominions and a third to a country in alliance with England. The future King and Queen of England are touring through India, and by their kind and sweet dispositions are winning the affection of the Indian people. Prince Arthur is drawing tighter the bond of friendship between Great Britain and Japan. And our own Royal visitors are by their usual tactfulness endearing themselves to the South Africans. To have permitted the three members of the Royal Family, almost simultaneously, to leave England, shows the regard that Their Majesties have for the welfare of the Empire over which they so worthily preside. It is a happy sign for its future that the superb qualities of the late Queen Victoria have descended to her children. May they live long to carry out the traditions of the Empire is our prayer to the Almighty Father of us all.

Indian Opinion, 3-3-1906

225. INDIANS AND RESPONSIBLE GOVERNMENT[2]

The Transvaal would receive the fullest and most complete form of Responsible Government; therefore, the competence of the Transvaal to decide whether it would allow Chinese labour on the mines and farms and exercise control over the industry generally was indisputable; but it was essential that it should not inherit the present Ordinance. It would be impolitic and disrespect-

[1] *Vide* Vol. III, p. 97.

[2] This was also published in *India*, 6-4-1906.

> ful to insert in the new Constitution any disability that would seem to suggest that we expect the Transvaal to act contrary to our notions of right, but it was proposed, under the power that was reserved in the Constitution of every self-governing Colony, to instruct the Governor that any measure dealing with imported labour must be reserved for the consideration and assent of the Imperial Parliament. Legislation corresponding to the present Ordinance might be vetoed, though he did not anticipate such a contingency.

These are the expressions used by Mr. Asquith during the Chinese debate, and they place the position of the Home Government regarding a question analogous to the Indian question in a nutshell. The Chinese Labour Ordinance is in conflict with the Imperial traditions; so is anti-Indian legislation, only the latter is much more objectionable and easier to do away with, in that it is an inheritance from the Dutch Government, whereas the former is a creation of the now defunct British Government, yet there is no hesitation, on the part of the Liberal Chancellor of the Exchequer, in saying that it should not be left to the incoming Responsible Government in the Transvaal as a legacy. If, then, "the fullest and most complete form of Responsible Government" is to be granted to the Transvaal, it follows that a clean slate should be presented to it, so far as anti-Asiatic legislation is concerned. As Sir William Wedderburn most clearly put it to Mr. Chamberlain two years ago, it is the duty of the Imperial Government to do away with such measures of the Dutch Government as contributed to provoke the war, and then leave it open to the Transvaalers to bring in any legislation they choose for the consideration of the Home Government. Unless the suggestion be adopted, the only other manner in which the Indian position can be saved is to insert a protective clause in the new Constitution, in addition to the general clause as to the right of veto. To do so would, in the words of Mr. Asquith, be impolitic and disrespectful, as it would be suggestive of a charge against the Transvaal of wishing to "act contrary to" Imperial "notions of right". If a policy of *laissez-faire* be followed regarding this question by the Imperial Government, and anti-Indian legislation be not repealed before the grant of Responsible Government, it would be quite competent for the latter to refuse to blot out what the Crown Government dared not touch.

It is better, even at the risk of repetition, to examine the Indian position. Indians have always asked for the repeal of Law 3 of 1885 and other laws and by-laws which are specifically aimed at Asiatics, but they have always qualified this demand by an emphatic declaration that they do not wish to flood the country, as it has been said, with Indians, nor do they wish to usurp the trade, especially the Kaffir trade, from the whites. They have asked for a fair field and no favour. To show their *bona fides*, they have accepted the principle of restrictive legislation of a general character. An Immigration Restriction Act, on the lines adopted by the Cape or Natal, so long as it recognises the principal Indian languages, and leaves it open to import men necessary for the conduct of existing businesses, will completely meet the case, so far as the entry

of new men is concerned. With reference to trade, Indians have suggested that control over new trade licences should be given to the local bodies, their decisions to be subject to review by the Supreme Court. This is the farthest limit to which restriction can be legitimately carried. It is trade jealousy and the spectre of an Indian invasion that are at the bottom of anti-Asiatic agitation. These two "dangers" being removed, there can be no justification for any further curtailment of the liberty of the Indian, or for subjecting him to "unnecessary affront". It would certainly be inconsistent with British notions of right to continue to deprive Indians of the right to own landed property, to move about freely, and otherwise to treat them as helots.

Indian Opinion, 3-3-1906

226. INDIAN TRADERS AT THE CAPE

We gladly make room for our Cape correspondent's letter, in reply to our remarks on his strictures on the petty Indian traders at the Cape, published in these columns some time ago. We certainly think that the testimony of Sir James Hullett[1] is as applicable to the Cape as it is to Natal. The Indian is just the same there as in Natal, and if his trade has benefited Natal generally, it cannot be otherwise at the Cape, where the material conditions are of a similar nature. But the chief point we have all along urged is that many of the charges brought against Indian traders by their detractors cannot be sustained. We have never advocated the policy of flooding any part of South Africa with Indian or any other traders, but we do believe that it is a question capable of adjustment, without restrictive legislation. It would certainly help to[wards] a solution, if our correspondent could prepare a comparative statement of the European and the Indian traders in the various districts of the Cape Colony. From the information at our disposal, we think that the latter are in a hopeless minority.

Indian Opinion, 3-3-1906

227. INDIAN TRAVELLERS ON THE C. S. A. R.[2]

A correspondent writes to us in the Gujarati columns that by the train that left Johannesburg for Durban on the evening of the 26th February last, he saw seven Indian passengers, including an Indian lady, accommodated in a single second class compartment. He states further that an eighth passenger was added at Germiston, much to the discomfort of the other passengers. An ordinary second class compartment is hardly

[1] *Vide* Vol. IV, p. 247.

[2] Central South African Railways

capable of holding more than six passengers for a night journey — we understand that the passengers travelling by the night trains are entitled, for long journeys, to sleeping accommodation. Our correspondent does not state whether there was an unusual rush on the occasion alluded to by him. But be that as it may, we cannot help questioning the propriety of herding together so many passengers when one of them happens to belong to the opposite sex. Even an Indian lady is entitled to some consideration in such matters. The Indian public have a right to expect the accommodation they pay for. It will be a mockery to give them second or first class facilities in name only and deny them in reality. We draw the attention of the railway authorities to the complaint made by our correspondent and we do not doubt that they will take the necessary steps to avoid a recurrence of such complaints.

Indian Opinion, 3-3-1906

228. WARNING TO INDIANS PASSING THROUGH MIDDELBURG

We learn that the permits of the Indian passengers proceeding through Middelburg station are being invariably checked. This is not generally done at stations other than those on the Transvaal border. However, it is being done at Middelburg. We shall publish further information on this matter if we receive it from our readers at Middelburg. Meanwhile, the above fact should be borne in mind by passengers going to Middelburg.

[From Gujarati]
Indian Opinion, 3-3-1906

229. JOHANNESBURG LETTER

March 3, 1906

Tram Case

By the time this letter appears in print, the tram test case[1] will have been decided. After some difficulty, the Crown counsel has admitted the affidavit made by Mr. Coovadia, and issued a summons to the conductor who prevented him from boarding the tram-car. The case will come up for hearing on March 7. Meanwhile, the controversy about the tram service is still going on in the Press. A white gentleman has sent an insolent reply to Mr. Daruwala, saying that the whites would never allow the Coloured people to sit with them in the trams. Others have also written to say that, if the Coloured people were allowed to use the trams, it would be to admit their equality with the whites. A couple of persons

[1] *Vide* pp. 206-7.

have been gratuitously writing to the Press in this fashion. Meanwhile, the whites use without aversion the tram-cars that are especially run for the Coloured people. Such is the city's charm!

Chinese Labour

At present all the people here are exercised over the question whether the Chinese would be allowed to stay on or be driven out. Cablegrams from England show that orders have been issued by the Government to send back those Chinese who are not satisfied with their lot in the Colony. This has created a panic among the miners and they have tightened their purse-strings, with the result that all trade has now become slack. Moreover, the Kaffir rebellion in Natal has had its effect on the Kaffirs here. There is, therefore, no hope[1] left from any quarter.

Deputation to Colonial Secretary

A deputation in connection with permits for the Indians will wait upon the Colonial Secretary. It is expected that some relief will certainly be forthcoming. An officer is likely to be stationed at Johannesburg to issue permits, etc.

Mr. Chamney, Protector of Asiatics, has arrived and assumed charge of his office.

The Lieutenant-Governor has agreed to receive a deputation on the subject of the Malay Location. It will shortly wait upon him.

Lord Selborne

Lord Selborne has returned from Masseroo, where nearly 2,000 Basuto Kaffirs had gathered to greet him. These Africans are a very intelligent people. They have their own Parliament, which they call Pitso. The shorthand reporter attached to the Pitso is a Basuto, who has taken down a report of the speech made by Lord Selborne.

[From Gujarati]

Indian Opinion, 10-3-1906

230. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
Sunday, [*March 4, 1906*]

MY DEAR CHHAGANLAL,

Do not fail in the slightest degree in doing your duty. It is absolutely necessary to bring the accounts up to date. The balance-sheet should be made up. You should take Mr. Bean's help in correspondence; associate Hemchand with Gujarati. It is not at all necessary to keep him in Durban. I shan't be able to send Kalyandas for the present. Most likely

[1] For the recovery of trade. *Vide* pp. 206-7.

Brian Gabriel will come. It will be good if he does. The shortage of men we are experiencing will then cease. You alone know best how to lighten your burden. It will be enough if you go to Durban only for a day [in the week]. The main work is the collection of outstandings.

You should have the same arrangement in the Gujarati section as you have in the English. The leading article should come first, followed by the smaller leaders. After that should come the translations of articles on important subjects, etc., followed by letters like the "Johannesburg Letter" and last of all, Reuter's Telegrams.

The article on the Kaffir rebellion which you had placed first ought not to be there; it should have appeared in the news section. As I have entrusted the question of the Kaffir rebellion to you, I do not pay any attention to it. But you should study the subject well. If you make notes, you will be able to give a column or more of the latest news on Thursday. In accordance with the above arrangement, "The Natal Indian Congress" will be the leading article this time.

We should give the Gujarati "contents" at the end.

Discontinue the advertisement from Haji Suleman Shah Mahomed as we are not going to get it. Reduce Mr. Gool's to half. He has made a special request about it as his condition is not sound at present. I see that many advertisements from Cape Town will be discontinued. But I am not worried in the least by that. We shall get others. I am persevering in my efforts.

Mr. Isaac will arrive there during this month. Please keep a table and a chair for him in our office.

Blessings from
MOHANDAS

[PS.]

I have not translated Mr. A. Cadir's speech assuming that you would do it, which please do.

From a photostat of the Gujarati original : S.N. 4314

231. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
March 5, 1906

MY DEAR CHHAGANLAL,

I have read your letter to Kalyandas. I understand that R. Peerkhan does not want you to execute any of the orders as they are all overdue. Please let me know what Transvaal orders are still unexecuted. Let me know also which orders require revision in quotation because of the job having to be done outside and let me know the difference in prices.

Miss Neufliess met me last evening and told me that she got her *Indian Opinion* for the first week with the back numbers and now she is not get-

ting any at all. I have sent a wire with reference to the order, you will recollect, I sent to you for an Indian restaurant-keeper. I told you also that I made a promise to the man that he should receive his notices on or before to-day. He, therefore, came over to-day and inquired. I see you did not mention the matter when I was in Phœnix and I did not see any letter from you either addressed to the office. I think I told you in my letter that, if you could not execute the order within the time, you were not to have done it. Please let me know, if you have not already telegraphed to me, what is to be done. I shall be sending you to-day a Theatrical order. The Company is to play next Wednesday. They will naturally require the handbills and the programmes before that time. If, therefore, it is impossible for you to accept the order, you should wire to me before taking it up. I am most anxious to fulfil promises that have been once made.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4315

232. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
March 5, 1906

MY DEAR CHHAGANLAL,

Mr. Gool writes to me saying he is waiting for the list of Capetown subscribers and advertisers. If it is not sent, I hope you will send it without delay.

Mr. Dada Osman will want from you the names of the leading newspapers in England, India and South Africa. You may ask Hemchand to prepare a list of the papers to whom we send *Indian Opinion*, and give it to Mr. Dada Osman.

In taking job work, please be most particular that you do not take any orders from strangers unless cash is paid down. There should be no hesitation in refusing. The only people for whom we should accept orders on credit should be regular customers of known standing who are also supporters of the Paper. There should be no indecision about it.

I notice Mr. Omar's article about Delagoa Bay has not appeared. I take it, it will appear this week. I sent another article from his pen yesterday. That, of course, should be reserved for next week.

I notice you have not announced the report of the Abdul Cadir

meeting[1] and a translation of the address will be given in this week's issue. However, I take it that you are going to do it.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
c/o *Indian Opinion,*
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From a photostat of the original: S.N. 4316

233. LETTER TO A. J. BEAN

JOHANNESBURG,
March 5, 1906

DEAR MR. BEAN,

I think Brian Gabriel will join at the end of the month. He has sent me the enclosed sketch[2] of alterations he would like to have made to the house occupied by Orchard. Will you kindly go into them and let me know what the alterations mean in money? Please let me know whether there are bath-room, water-closet and tank in that house. Are the walls of that house ceiled? I am leaving this purposely to you so as not to bother Chhaganlal as he complained of overwork. I shall thank you to let me have a reply to this, if possible per return. I hope you are considering my letter[3] and will let me have a favourable reply.

Kuhne's book[4] was to have gone on Saturday. It is now being posted to-day.

Yours sincerely,
M. K. GANDHI

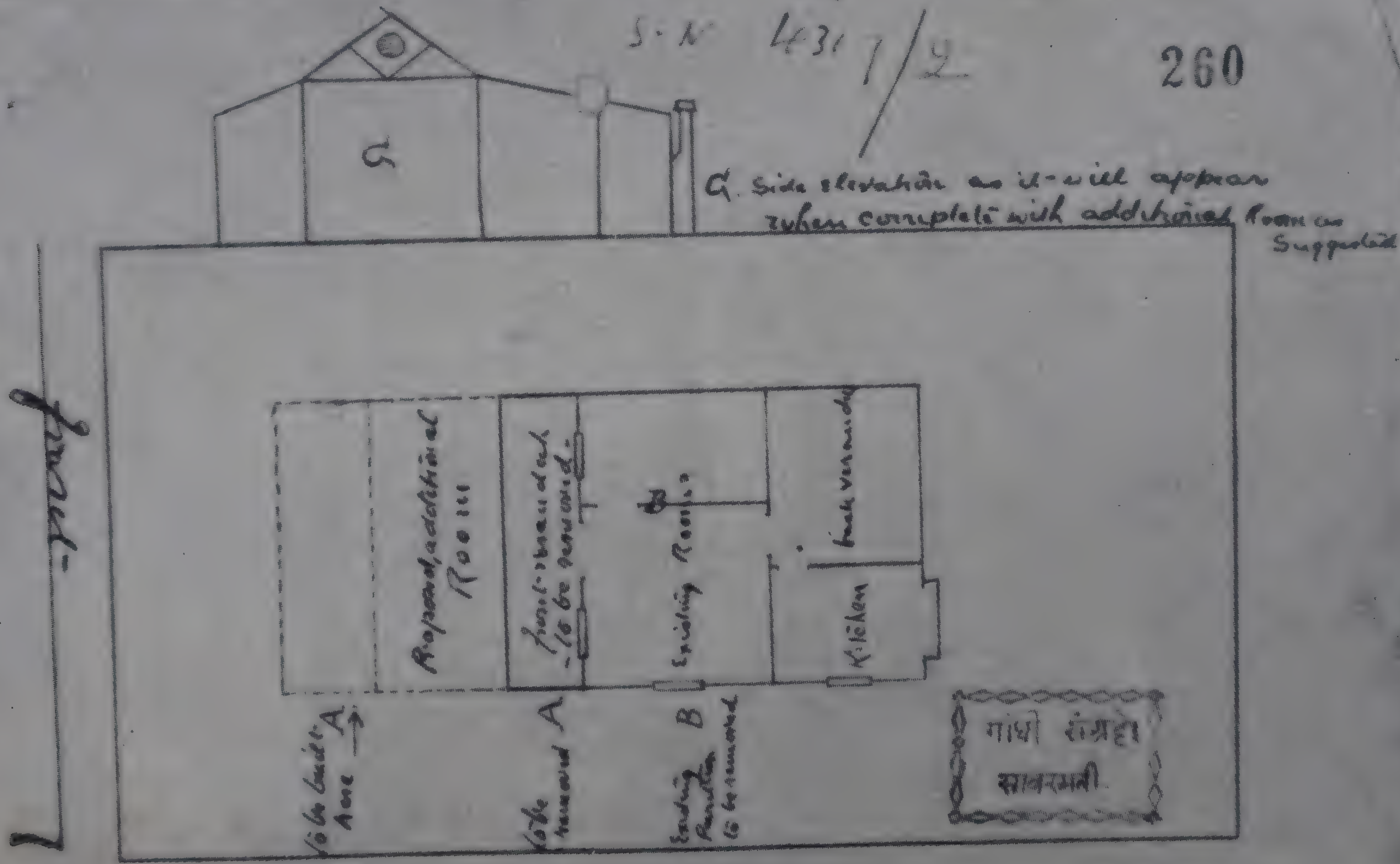
A. J. BEAN, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4317

1 *Vide* pp. 208-9.
2 Reproduced on opposite page
3 This is not available.
4 *The New Science of Healing or the Doctrine of the Oneness of all Diseases* by Louis Kuhne

S. N. 4317/2

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Road
To be built Area A →
Proposed additional Room
To be removed A
Front verandah to be removed
Existing Room
Existing Partition to be removed B
Kitchen
back verandah
G
G. Side elevation as it will appear when complete with additional Room as suggested
गांधी संग्रहालय
साबरमती

234. LETTER TO A. J. BEAN

JOHANNESBURG,
March 7, 1906

DEAR MR. BEAN,

I have your letter about Mr. Mannering. I am sorry that he feels unsettled on account of the conversation with him. I intended to talk to him when I was there, but I hadn't the time. When I went to the Press, I was incapable [*sic*]. I have been thinking over the alleged understanding I gave to all. The circumstances were these, so far as I can recall them. I was talking about Pillay or somebody at that time. I did say that nobody, because he taught or did anything, need feel that he was to go as soon as he finished it, that everybody should consider himself absolutely safe in the Press, so long of course as the Press was not actually starved. I do not know whether Mr. Mannering was at that time on the pay basis or whether he was a schemer, but the assurance was not given after Mr. Mannering left the scheme and returned again. I believe that when he was taken over I told Chhaganlal — the letter[1] must be in his possession — that if Mr. Mannering was taken back, he should do so on a monthly basis. I may not be correct, but such is my impression. In any case, I certainly never had the intention of giving any assurance that everybody, that is to say, those who did not belong to the scheme, was to consider himself safe under all circumstances, and at the salary he was getting. All I wanted to convey was that there was not the slightest intention of driving anyone out when others were raised to take his place. To that opinion I adhere even now. I do not know what Mr. Mannering intends doing, but so far as I am concerned, I am quite willing that he should remain on at £8 per month, at least up to the end of this year. I know that you think that he should get a higher wage, and if the schemers agree, I have not the slightest objection; also if the schemers consent to it, you may treat this letter as binding on me and Mr. Mannering may rest assured that no matter what changes my personal opinions may undergo, he should consider himself a fixture, at least up to the end of this year. I am writing to Mr. Mannering also separately in the matter.[2]

Yours sincerely,
M. K. GANDHI

A. J. BEAN, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4318

[1] This is not available.
[2] This letter is not available.

235. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
March 9, 1906

MY DEAR CHHAGANLAL,

You asked me to send a list of those who have not paid regarding Mr. Nazar's estate. Did you not make a list of the whole thing? I don't know what £15/5 represent. I have an impression that you told me you had made out all the bills. If you haven't a list, I would be able to send you one, but would not know who had paid and who had not. You are to collect undoubtedly from Thanu Maharaj. You need not bother Bhatt, Subhab, but there will be at least that dividend to be paid to them. From Mr. Miankhan you should collect. I return the paper.

I have not received the correspondence you refer to in your Gujarati letter received to-day. I have now received it.[1]

I shall write to Osman Amod.

Of course, we do not want to make extracts from the *Islam Gazette*.

I received your telegram saying that you will be able to do the Theatrical job. I should have been quite content if it had not been done. All I would want you to be careful about is having made a promise to keep it. I may send you work rom here without knowing whether you will be able to do it or not, but you have always the right not to do it if you can't.

If you cannot get satisfaction from Osman Amod, you should refuse to accept work. Make the position perfectly clear to him that we have to pay for work done outside in hard cash. We have to do nothing in fear. We want to please in a reasonable manner only and if we fail to please, the blame won't be ours. All, therefore, we have to do is to put ourselves to inconvenience for others, be always courteous, and to suffer when necessary. Further than that we are not called upon to go.

I have not yet received Coovadia and Patel's letter[s], but as soon as I do, I shall reject them but will give you a note in reply to their correspondence.

We cannot, and we do not want, to ask the Congress or the British Indian Association to defray the expense of complimentary copies.

It is a pity that we have no cable from Maganlal.

We do not wish at this stage to give Mr. Dowd Mahomed's photograph, but you should give Mr. Abdul Cadir['s], even if it is next week.

You have sent me no bill for the restaurant except the handbills. My instructions were to send me the bill also. Please let me have it. You should be always careful to send bills whenever you execute orders.

[1] This sentence is added in Gandhiji's own hand.

I was to have received cash against delivery. How can I if I have not got the bill from you[?]

Yours sincerely,
M. K. GANDHI

Enclosures[1]

C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From the photostat of the original typescript signed by Gandhiji : S.N. 4321

236. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
March 9, 1906

MY DEAR CHHAGANLAL,

Your letter to hand. I follow what you say about Mr. Bean. You have done the right thing in not passing on the letter to Sam. I always want to know your views on such matters. I do not wish to importune Mr. Bean overmuch. I wrote my last letter[2] to him yesterday and I will write no more. To Mr. Kitchin also I have written clearly.[3] I feel for him somewhat because he will have, as he says, to upset all his arrangements. He has spent a lot and I rather felt that he would not go away from Phœnix. Hence the feeling that it will be good if he stays. Nevertheless, I have no intention of pressing him overmuch. You had better give up trying to persuade Mr. Bean now. You should act only on those among my suggestions which appeal to you as reasonable. I always assume this, when I communicate to you, without reservation, my thoughts as they occur to me.

Now that you are keeping all the account books yourself, I should like to know how it has affected the work. I desire that the accounts be got ready immediately.

Brian Gabriel writes that he will arrive there by the end of this month.

I think it will be difficult to send Kalyandas there at present. I already carry a big burden and it will become heavier, if I send him away. It is, moreover, doubtful whether he will stay there cheerfully or not. I shall, however, send him, if possible, during the winter for a time.

Please send me the file of the *Opinion*.

Make as much use of Mr. Isaac as you can.

Blessings from
MOHANDAS

[1], [2] & [3] Not available

[PS.]

I have received the papers. None of them is worth publishing. Please write to both the Patels directly as follows: "Received your letter. We receive plenty of such material, which we do not think it necessary to publish in the *Opinion*. It leads to counter-allegations and adds to the bitterness. The *Opinion* being chiefly meant for discussing political and social matters, it seems improper to introduce too many topics pertaining to religion." It is not necessary to reply to them through the journal. Inform Osman Amod that I have written to him directly.

The enclosed is the name of a new subscriber: his subscription has not been received.

MOHANDAS

From a photostat of the original Gujarati in Gandhiji's hand : S.N. 4320

237. LETTER TO COLONIAL SECRETARY

[DURBAN,
Before *March 10, 1906*]

TO
THE COLONIAL SECRETARY
MARITZBURG

SIR,

The Committee of the Natal Indian Congress has read with pain and anxiety Government Notice No. 150 published in the Natal *Government Gazette* dated the 27th ultimo, imposing certain fees in connection with various passes and certificates issued under the Immigration Restriction Act No. 30 of 1903 as amended by Act 3 of 1906.

Our Committee ventures respectfully but strongly to protest against the tariff of fees mentioned in the Notice.

It is submitted that the fees amount to a tax on British Indians who are entitled to remain in the Colony or to pass through it.

It is well known that the Act is enforced very largely, if not entirely, against British Indians. The various passes and certificates issued thereunder are granted more in the interest of those who desire their enforcement than of those to whom the provisions are applied.

Our Committee, with the greatest deference, thinks that the fees sought to be imposed are extortionate.

Our Committee reminds the Government of the fact that, during the lifetime of the late Right Honourable Harry Escombe, an attempt was made to impose a fee of £1 for visitors' passes. A respectful representation was sent thereupon protesting against the imposition and the late Right Honourable Gentleman immediately withdrew the Notice regarding the imposition.

At that time the Certificate of Domicile was free from the £1 fee.

Our Committee, moreover, draws your attention to the fact that British Indians who may be residing in the inland colonies are at least entitled to a passage through Natal without having to pay a charge of £1 for the privilege of passing through the Colony.

Indeed, even from a selfish standpoint, the fact that such Indians bring to the Natal Government Railways a certain amount of revenue should weigh with the Government in not imposing a prohibitive fee.

Act 3 of 1906 contemplates a reasonable charge of £1. My Committee submits that a charge of £1 for a visiting or embarkation pass or a Certificate of Domicile can never be considered reasonable, and if the wife of a domiciled British Indian is entitled to remain in the Colony or to enter it, and if an Indian who can satisfy the educational test is also, as of right, entitled to enter the Colony, it seems, in the humble opinion of our Committee, not only hard but insulting that either the wife of a domiciled Indian or an educated Indian himself should have to pay what is after all a tax of 5/- for not being a prohibited immigrant within the meaning of the Act.

Our Committee does not understand the term transit pass.

Our Committee ventures to trust that the Government will be pleased to withdraw the Notice and allow the charges hitherto imposed to stand.

Our Committee hopes that your early attention will be given to the complaint as the matter is rather urgent.

We have the honour to remain,
Sir,
Your obedient servants,
O. H. A. JOHARI
M. C. ANGLIA
JOINT HON. SECRETARIES, N.I.C.

Indian Opinion, 10-3-1906

238. "INFLUX OF ASIATICS"

The Congress of the Associated Chambers of Commerce of South Africa, that met in Durban last week, has again passed a resolution about Indians. Mr. E. F. Bourke, of Pretoria, moved

> that this Congress of Chambers of Commerce of South Africa views with alarm the increasingly detrimental effect upon the commerce of the whole of South Africa because of the continual influx of Asiatics, and desires to express its conviction that it is imperative, in the interests of the white population of South Africa, that concerted action should be taken by the various Governments with the least possible delay.

Mr. G. Mitchell moved that the word "continual" be omitted, and the resolution was passed without it. A resolution of this nature, passed by an important body like the Congress of the Associated Chambers, ought to carry weight, and it is to be feared that, although the resolution is

without foundation in fact, it will be used as an authoritative expression of opinion on the part of the Chambers of Commerce in South Africa.

If the resolution were examined calmly, it would be found that the influx of Asiatics could not detrimentally affect the commerce of the whole of South Africa, for Indian immigrants would, after all, be consumers, no matter how humble they may be; but we imagine that the framers of the resolution intended to say that the increase of Indian traders, due to the influx of Indians, had such an effect. Although both the question of influx and that of Indian trade have been fully examined in these columns more than once, we propose again to deal with them in order to show how ill-informed the speakers were as to the true position. So far as the Cape Colony and Natal are concerned, there is, as the Immigration Office records show from day to day, a most effective barrier set against Indian immigration, and the manner of enforcing the restrictions is daily being made more irksome. From the letter[1] we reproduce in another column from Professor Parmanand, it will appear that the Immigration Officers are no respecters of persons. The learned Professor, whose fame and name preceded him, was subjected to an educational test before he was allowed to set foot on the ground at Port Elizabeth. Could severity go any further?

The Orange River Colony does not come into the calculation at all, as nobody has ever suggested that there is any Indian population or Indian trade worthy of the name in that Colony, and yet we find the resolution applying to the whole of South Africa.

With reference to the Transvaal, Lord Selborne, as well as other Government officials, has more than once stated, in emphatic terms, that no non-refugee British Indians are being allowed to enter the Transvaal. Our permit pillory[2] will bear witness to this.

One of the speakers said that the fact of the Advisory Boards having been appointed showed that an influx was going on. May we inform him that the Boards have been established, not because an influx has been going on, but in answer to the agitation that was set up by certain interested parties in the Transvaal, and in total disregard of the feelings and convenience of Indian refugees. The Boards could not act any more effectively than the permit officers have hitherto done. The same speaker went on to say that he could "give evidence that the Government knew of certain Asiatics coming in unlawfully". Either the statement is true, or it is untrue. If it be true, it is a duty the speaker owes to the Government, as well as to the Indian public, that he should give detailed information with names; if it be untrue, as an honourable man he should withdraw it. Serious statements of that nature, without any facts to support them, made before a public body like the Congress of Associated Chambers of Commerce, cannot be allowed to

[1] Not reproduced here

[2] *Vide* p. 204.

pass unchallenged, and we state emphatically that there has been no such unlawful influx of Indians into the Transvaal, as has been suggested by the speaker. We would here draw the attention of the public to the fact that the British Indian Association at Johannesburg invited public enquiry into the matter, which the Government did not grant, as the Government was fully convinced that there was no such influx. With reference to the so-called increase in Indian trade in Natal, there is a most effective and tyrannical check actually exercised over Indian licences. As the members of the Congress must have known, the Natal Dealers' Licenses Act places every Indian trader absolutely at the mercy of the Licensing Officer. They must also have known that two respectable Indians[1], traders of long standing, have been wantonly deprived of their licences, although they were, as a matter of fact, not even competing with Europeans in their trade.

In the Transvaal, the position is no better, if only because the Indian population of the Transvaal is not so large as the Indian population of Natal, and also because even refugees find it difficult to enter that Colony. At the same time, we are free to admit that the decision of the Supreme Court in the test case has undoubtedly, to a certain extent though not in any appreciable degree, increased the number of Indian licences, but Indians have showed their extreme moderation by suggesting that, as against repeal of Law 3 of 1885 and all class legislation, they would be prepared to accept the principle of control over new trade licences by the municipal bodies. It is worthy of note that, of the eight speakers who are reported to have taken part in the debate on the resolution, there were only two from Cape Town, and they did not appear to have brought forward any facts or figures to show that Indian trade was in any way affecting European trade. Thus, examined from every point of view, the resolution is totally unnecessary, and certainly not based upon facts. The only real remedy which lies at their door, the people of the Transvaal have hitherto declined to accept. It is also worthy of note that, out of the eight speakers, there were five from the Transvaal; and evidently the resolution was passed, not in the interests, as it has been said in the body of it, of South Africa generally, but in the interests of the Transvaal only.

Indian Opinion, 10-3-1906

[1] Dada Osman and Hoondamal; *vide* Vol. III, pp. 17-21 and Vol. IV, pp. 357-9.

239. A CONTRAST

We have drawn attention to Professor Parmanand's hardships, whilst he was passing through the Cape Colony, in our remarks on the proceedings of the Congress of Associated Chambers of Commerce.[1] Professor Parmanand, it would appear, was unnecessarily subjected to the indignity of an examination, before he was allowed to land at East London.

A letter from Mr. Omar Haji Amod Johari, which we publish in another column,[2] shows what even the most respectable Indians have to undergo in South Africa. Mr. Johari is a leader among Indians in South Africa. He represents the well-known firm of E. Aboobaker Amod & Bros., of Natal. He is a cultured Indian, and has travelled in Europe and America. All this was of no consequence to the permit officer at Volksrust, who, not being satisfied with having examined his permit, had the effrontery to ask Mr. Johari to put his thumb-impress on his book. We confess that we fail to see the reason for this procedure. Well may Mr. Johari ask whether he is to be treated as a criminal, without being guilty of any offence, save that of wearing a brown skin.

And yet, when it was a Japanese subject who was treated rudely only the other day, a howl of public indignation went up throughout South Africa, and our contemporary, *The Transvaal Leader*, in an angry editorial, after having severely censured the authorities for the delay in granting a permit to Mr. Nomura and for subjecting him to the offensive process of giving his thumb-impression, offered a public apology to the gentleman on behalf of the people of the Transvaal.

We believe that Mr. Nomura was entitled to the apology. But we cannot help contrasting the attitude of the public towards that incident, and the incidents to which we are now drawing attention. We fear that there will not be even so much as one feeble voice raised in favour of Professor Parmanand or Mr. Johari. The moral is obvious. Mr. Nomura belonged to an independent nation in alliance with Great Britain. Messrs Parmanand and Johari are only British Indians, after all. But a little reflection should show that a British subject is deserving of at least as much solicitude on the part of the public, and that persistence in such a policy as this to which we draw attention cannot but lead eventually to the disruption of the Empire.

Indian Opinion, 10-3-1906

[1] *Vide* the preceding item.

[2] Not reproduced here

240. A CRYING SHAME

The Natal *Government Gazette* for the 27th February last contains a notice under the Immigration Restriction Act. It seeks to impose sundry fees for the various documents which people, who are affected by it, have to take out. A nominal fee we do not mind, though we question the legality of even a trivial charge. But the notice in question is nothing short of a shameful attempt to replenish the empty treasury of Natal. A certificate of domicile, a visiting pass or an embarkation pass are to cost £1 each. A certificate of ability to pass the educational test, a wife's exemption certificate and a transit pass (whatever the latter may mean) are to cost five shillings each. Thus, although an Indian may be entitled by law to enter Natal or to remain in this Colony, he cannot henceforth do so without paying a price for it.

An imposition of the above kind was attempted in 1897, but the late Rt. Hon. H. Escombe[1] saw the reasonableness of the protest of the Natal Indian Congress against it, and withdrew the tax immediately.

It does not appear to have struck the authors of this notice that, in seeking to exact the high fees from the Indians, they will not necessarily decrease the deficit of the Colony. An Indian living in the Transvaal wishes to return to India. He can only do so by going through the Cape, Durban or Delagoa Bay. The Durban route is the most popular. The Indian passenger traffic is no mean thing. It behoves the Natal Government to take care that, in trying to exact an additional pound from an Indian, they do not kill the goose that lays the golden egg of Trans-Natalian Indian passenger traffic. So much for an appeal to selfishness.

On the ground of justice, the case is overwhelmingly in favour of the Indian. The Immigration Act is supposed to apply to all, irrespective of nationality. In effect, it is enforced chiefly, if not solely, against Indians. The charges sought to be imposed by the notice, therefore, constitute special taxation on the Indian community. We sympathise with the Government in their financial embarrassment, but can scarcely approve of the method they have adopted of filling the State coffers.

Indian Opinion, 10-3-1906

[1] Sir Harry Escombe, (1838-99), leading advocate of the Natal Supreme Court, sometime Attorney-General, and Prime Minister of Natal, 1897

241. A POLL-TAX GRIEVANCE

Our Gujarati columns show that much irritation is caused to Indian payers of the poll-tax, owing to the alleged difference between the treatment of European and Indian payers. One of the aggrieved parties states:

> When a European goes to pay the poll-tax, he does not have to stop even five minutes, whereas an Indian has to devote practically the whole day, before the money is taken from him and he is dispensed with.

If it be true that the intending Indian tax-payers have to pass very nearly a day before they can pay the tax and get the receipt, there is something very bad about the arrangements made by the Government, and the attention of the authorities is drawn to the complaint.

Indian Opinion, 10-3-1906

242. INDIAN PASSENGERS BY THE GERMAN EAST AFRICA LINE

More than one correspondent draws attention, through our Gujarati columns, to the inconvenience that was felt by the passengers on board the steamer *Somali* during her last voyage to Durban. One of them writes:

> On board the *Somali*, which left on the 20th January, passengers had to undergo many difficulties about cooking, etc. The crew on board were totally careless as to the comfort of the passengers, and the Captain, on the complaints being taken to him, did not listen.

We draw the attention of the Agents of the German East Africa Line to the allegations above made. We shall be pleased to publish any explanation that they may have to give. In any case, we trust that full investigation will be made; and in view of the fact that Indians give very considerable support to the line, even a policy of selfishness will dictate consideration towards Indian passengers.

Indian Opinion, 10-3-1906

243. THE NATAL INDIAN CONGRESS

Great changes have come about in the set-up of the Natal Indian Congress. After having occupied the presidential chair of the Congress for eight years, Mr. Abdul Kadir has left for India. May his wishes be fulfilled, and may he return here safely! The Indian community has conferred on him great honour, which he amply deserves.[1] In honouring him, the community has honoured itself. A number of speakers rightly emphasized the philanthropy of Mr. Abdul Kadir. Mr. Abdul Kadir

[1] *Vide* "Address to Abdul Kadir", p. 208.

maintained the dignity of the Chair with solemnity and modesty. He did much to put the Congress on a firm footing. Whatever honour is done him must, therefore, be deemed inadequate.

With the departure of Mr. Abdul Kadir, Mr. Adamji Mian Khan relinquished the office of Joint Honorary Secretary. Mr. Adamji is one of the very few educated persons among businessmen in the Indian community. He has been serving the Congress ever since its inception. In 1896, when the condition of our people was very critical, Mr. Adamji worked with great zeal, tact and humility. During his tenure of office, there was great enthusiasm among the members of the Congress. Mr. Adamji was mainly responsible for collecting £ 1,000 during that brief period. Moreover, he took the same keen interest in political matters also. When the residents of Durban staged a demonstration[1] against the steamers, *Courland* and *Naderi*, Mr. Adamji acted with patience and firmness. Later when the late Mr. Nazar and Mr. Khan relinquished their office as Congress Secretaries, Mr. Adamji Mian Khan was elected Joint Secretary along with Mr. Omar Haji Amod Zaveri. Since then, he served the Congress, along with Mr. Zaveri, until last week. The reasons why Mr. Adamji resigned are, first, his indifferent health and, secondly, his desire to give Surati brethren an opportunity of holding office. We regret Mr. Adamji Mian Khan's ill health and pray to the Almighty that he may soon be restored to health. The second reason which has led Mr. Adamji to resign his office does him greater credit. The well-being of his country has always been the uppermost thought in his mind.

Mr. Dowd Mahomed has succeeded Mr. Abdul Kadir as President, and Mr. Mahomed Cassim Anglia has taken the place of Mr. Adamji. The largely attended meeting at the Congress Hall greeted them with loud acclamation. In the trading community here, the Suratis preponderate, and it is in the fitness of things that two Surati gentlemen should be elected simultaneously to these high offices. It will indeed be difficult to maintain the traditions built up by such able men as Mr. Abdul Kadir and Mr. Adamji, but we expect that both the [newly elected] gentlemen will play their part ably.

Mr. Dowd Mahomed has been a leading member of the Congress from the beginning. He has rendered good service to the Congress. He was the first to be elected an office-bearer of that body. His ability is known to all. He has many virtues, and if he employs them all in the service of the Congress, he will, we are sure, bring great credit to the Congress.

Mr. Mahomed Cassim Anglia is an educated gentleman and has experience of political work. And though he has not so far taken an active part in Congress activities, he is quite qualified to hold the Secretary's post. At present, great enthusiasm prevails among Congress members. We are confident that Mr. Dowd Mahomed, as also Mr. Omar Haji Amod Zaveri and Mr. Mahomed Cassim Anglia, will take advan-

[1] On January 13, 1897. *Vide* Vol. II, pp. 154-65.

tage of this enthusiasm and carry on Congress work successfully.

For a long time now, no funds have been collected for the Congress. It is necessary to undertake certain political activities, which can be easily done if some effort is put in. Like the new Ministry in England, the Congress, too, has got a new executive body. This coincidence is such that we can justly expect some good to come out of it.

[From Gujarati]

Indian Opinion, 10-3-1906

244. A FRESH MOVE TO SEPARATE VRYHEID FROM NATAL

The Dutch are greatly heartened by the Liberal Ministry coming to office in England, for they believe that they will now get whatever they demand. When Vryheid was taken out of the Transvaal and merged in Natal, they objected to it, although without success. Now they have again resolved to submit a mass petition. They do not like the Natal laws, and want to remain with the Transvaal. Indians will benefit much if Vryheid is merged in the Transvaal. At present the oppressive laws of both the Transvaal and Natal apply to them and they do not have the benefit of the good laws of either.

[From Gujarati]

Indian Opinion, 10-3-1906

245. MR. JOHN MORLEY AND INDIA

Mr. John Morley has spoken on the Indian question. Replying to Mr. Roberts, he said that the partition of Bengal had already been accomplished. It was impolitic to have offended people over the matter of fixing boundaries. There was no need, however, to make changes in what had already been done. It was necessary that the agitation that had disturbed the administration should now subside. The time for granting the people a share in the government of the country had not yet come.

These words of Mr. Morley are disappointing. They mean that the people of Bengal will not get justice. Of course, if Mr. Morley had been at the helm of affairs at the time, the partition would not have come about. From this it appears that the hope that Mr. Morley would act boldly and fearlessly and do what was necessary has been belied. In effect, therefore, for the duration of his career, it is only when new laws are enacted that attention will be paid to the feelings of the Indian people. Moreover, his statement that our people are not fit to take part in the governance of the country might be construed to mean that we are not yet fit for self-government. At the same time, it would not be proper to infer from a statement of this kind that India would not receive any

benefits from Mr. Morley. However, Mr. Morley's views are similar to those of the average Anglo-Indian; and they are likely to change only if we put in the requisite effort. It will be futile to hope that he would exert himself in our favour as he did for Ireland.

[From Gujarati]
Indian Opinion, 10-3-1906

246. NEW REGULATIONS FOR DOMICILE PASSES, ETC., IN NATAL

The following regulations have been published in the Natal *Government Gazette* of February 27:

The following fees will be charged from persons desiring to take out certificates, etc., under the Immigration Act :

	£	s	d
Exemption Certificate, i.e., special permission for entry into the Colony	0	5	0
Certificate of knowledge of language	0	5	0
Domicile Certificate	1	0	0
Temporary Pass for a visitor	1	0	0
Embarkation Pass (for boarding a steamer)	1	0	0
Separate pass for the wife	0	5	0
Certificate for passing through Natal	0	5	0

It would be a very bad thing if these taxes were to continue. We hope that the Natal Indian Congress will immediately take up this matter.

A similar proposal to levy taxes was made by the late Mr. Harry Escombe, but it was withdrawn as a result of a strong representation made by the Congress.

Natal has been impoverished; the Government is, therefore, making desperate efforts to collect money from all possible sources. It has adopted this new tax device. But this in effect has defeated its purpose.[1] For Indian residents in the Transvaal who wish to sail home, the shorter route lies through Natal. If such persons go *via* Natal, the Government will stand to gain in its railway revenue. If, alternatively, they go *via* Delagoa Bay, the Natal Government is likely to suffer a corresponding loss. We are sure that, if these penal taxes continue, Indian travellers will boycott the Natal railway and travel through Delagoa Bay.

The Natal Government has no right at all to levy such a tax. This law is being enforced for the benefit of the Natal public. If, therefore, the burden of the levy is to fall on any group, it should be on the whites. And if an Indian wishes to visit Natal for a short period, the Natal Government is bound to assist rather than penalize him.

[From Gujarati]
Indian Opinion, 10-3-1906

[1] The Gujarati original has : "This has resulted in the Government cutting its own foot with an axe."

247. JOHANNESBURG LETTER

March 10, 1906

Tram Test Case

The tram test case was heard by Magistrate Kar last Wednesday. The plaintiff, Mr. Coovadia, was represented by Mr. Gandhi, and the respondent by Mr. Hile, the Town Council advocate. The Crown Counsel, Mr. Blaine, appeared on behalf of the Government. He conducted the case well without discriminating between the white and the Coloured. During his examination, Mr. Coovadia deposed that the respondent forbade him to travel by the tram and asked him to use the tram reserved for the Coloureds; the case was, therefore, brought to court. On the Counsel for the Town Council admitting the said facts, it was not considered necessary to record Mr. MacIntyre's evidence. The respondent argued that he had orders from the Town Council not to admit Indians or other Coloured persons into the tram unless they were servants accompanying their white masters, and that he had accordingly refused admission to the plaintiff. In his address to the court, Mr. Blaine said that, according to the bye-laws of the Johannesburg Tramway, Indians were entitled to travel by any tram-car, and that the respondent was, therefore, guilty.

In his address, Mr. Hile admitted that the tramway bye-laws did not prohibit Indians from travelling by any tram-car. But there was a regulation, introduced by the Sanitary Committee [of the Town Council] during the Boer regime, which made it an offence for any Coloured person to use a tram, a bus or a cab reserved for the whites. By virtue of that regulation, still unrepealed, an Indian could be refused a seat in a tram. To this Mr. Blaine replied that the said regulation was no longer applicable and that Indians were entitled, by virtue of the bye-law passed by the Council, to travel in the tram. Mr. Kar has deferred judgment in the case till Monday. If it is announced on Monday, I shall communicate it.

According to news subsequently received, we have won the tram case and the Municipality has preferred an appeal.

Responsible Government for the Transvaal

The agitation for responsible government is still continuing in Johannesburg. The Boer People's Committee and the leaders of the Responsible and Progressive Parties met at the residence of Sir George Farrar with the object of arriving at a unanimity of views. What transpired at the meeting is not so far known; but it is believed that they could not reach an agreement and dispersed without taking a decision.

Meanwhile, a huge movement is in progress here. It has been decided to send a deputation of whites to England and a mass petition to King-Emperor Edward, to which thousands of signatures are being obtained. The demand of the signatories is that, in any future constitution [for the Transvaal], there should be provision for equal rights to all voters and the number of members to be elected should be proportionate to the strength of the voting population.

The object of this petition is to increase the power of the British [in public affairs], for the Boer population is smaller than the British. The Boers, on the other hand, demand that the members be elected according to the villages. If this is granted, the Boers, being more numerous in the villages, would gain in power. In other words, they would regain, through responsible government, what they lost through the war. This tussle is well matched and sustained, because neither party is inferior to the other in perseverance and effort. The Boers command considerable influence with the Liberal Ministry. Let us hope that, in this struggle between two great powers, the poor Coloured people will not be crushed out. Who will listen to the shrill pipe while the drums beat loudly?

[From Gujarati]

Indian Opinion, 17-3-1906

248. "LEGALIZED ROBBERY"[1]

We publish in another column a special report[2] of a case that was argued on Monday last before the Supreme Court of the Transvaal. Our correspondent has called it "legalized robbery" and we have no hesitation in adopting the title for this note. Law 3 of 1885 has formed the subject-matter of many complaints on the part of the British Indian Association, but we cannot think of any case so cruel or harsh and so unjust as the one reported by our correspondent. A law under which such a glaring wrong can be perpetrated must, to say the least of it, be utterly inhuman. Mr. Leonard, in his eloquent address, evidently thought of the inhumanity of the law when he asked the judges to put a humane interpretation upon it, and if possible to give the unfortunate victims justice. The late Mr. Aboobaker Amod was one of the first Indian settlers in South Africa. He was one of the foremost Indian merchants, and held very considerable landed property in Natal and in other parts of South Africa. He was respected, and very properly so, both by Europeans and the Indians of his time. He was cultured in every sense of the term. He held some landed property in the Transvaal. He made a will bequeathing it to his brother and his son, both of whom are well known

[1] This was also published in *India*, 13-4-1906.

[2] Not reproduced here

and well educated. It has now become possible to rob the heirs of what has been left to them by the testator, and in spite of their wishes to the contrary, the judges of the Supreme Court of the Transvaal were unable to right the wrong. It is hardly possible to get a purer or a more independent bench of judges than the people of the Transvaal have in their Supreme Court. They are not carried away by the slightest prejudice, and we have known them to have given fearless decisions before now. The cause was represented by the ablest lawyer in South Africa, who put his whole heart into it, and yet the judges have not been able, as they virtually admitted, to do justice. The cause is not far to seek. Law 3 of 1885 was passed by a legislature that had no regard for the feelings of British Indians, or, for that matter, any Coloured people. It was manifestly un-British and in breach of all the known rules of civilisation. It was an item of discussion at the Bloemfontein Conference[1] that preceded the Boer War, and when the late President Kruger seemed to yield the point of the franchise, Lord Milner it was who sent a cablegram to Mr. Chamberlain, "What about the Coloured men?" Such was his solicitude for them before War, but with the times, His Lordship's views changed. One would have thought that amongst the first acts of his administration would be repeal of this hateful Law, but His Lordship temporized. British Indians approached him, and he put them off until it became impossible for him to purge the Statute-book of Law 3 of 1885, because of the agitation of the white inhabitants of the Transvaal; and up to this day, it remains in force in the Transvaal as a mark of indelible disgrace for the British administration in the Transvaal over which His Excellency presided. Is the Liberal Government going to perpetuate the terrible wrong under which British Indians are labouring?

Indian Opinion, 17-3-1906

249. THE POLL-TAX

A correspondent from Ladysmith writes in the Gujarati columns:

> In the *Government Gazette* dated the 28th February, there is a notice about the poll-tax which states that those, other than Natives, who do not pay the tax before that day, shall be liable to a penalty. This has caused terror amongst the Indians. Those living in the town of Ladysmith have already paid the tax, but the poor Indians, who have just emerged from their indenture and who are living on farms and in distant places, cannot realise the thing, and have not been able to pay the poll-tax. These men have to be informed. The sergeant-in-charge receives the poll-tax, gives them a receipt, and then takes them before the Magistrate and the men are fined. If they do not pay the

[1] Held in 1899 when Lord Milner, Governor of the Cape, and Paul Kruger, President of the Transvaal, discussed, among other things, the controversial subject of franchise for non-Dutch white settlers in the Transvaal.

fine, they have to go to gaol. An instance happened in my presence. An Indian named Motai was living five to seven miles from Ladysmith. He was informed by a friend that he should pay the tax. He, therefore, mortgaged his ear-rings for one pound, at an interest of half-a-crown per month, and paid the tax. He got the receipt and was taken to the Magistrate. He was fined ten shillings. Where is he to get the money from? He had a pass. He has left it in the Court and has promised to bring the fine. . . . Up till now, nearly twelve to fifteen men have been fined.

We bring the above to the notice of the Government. If the information given by our correspondent be true, it reflects the greatest discredit on those who are concerned with the collection of the poll-tax. To make the poor people not only pay the tax, but when they come to pay it, to impose on them a fine seems to us to be the height of injustice. The penalty clause, we should imagine, is applicable, not to those who pay the tax willingly, but to those who want to avoid payment. The daily newspapers report that Indians have been paying the tax with the greatest despatch. As our correspondent points out, it is cruel to expect those who are living in out-of-the-way places to go to the paying-booths before the advertised time and pay the money. We have no doubt that many of them do not know anything about their liability, and if, as our correspondent points out, it is true that the men have to be informed, it is only reasonable to expect the Government to instruct their officers to take the money from those who may pay, and not arrest the men, and have them fined for an alleged contravention of the poll-tax act. We have trust enough in the humanity of the Government to feel that they will stop the injustice that is being perpetrated in the name of law.

Indian Opinion, 17-3-1906

250. A PLEA FOR INDIAN VOLUNTEERING

The Natal Native trouble[1] is dragging on a slow existence. There can be no doubt that the imposition of the poll-tax is itself the immediate cause, though probably the trouble has been brewing for a long time. Whosesoever the mistake may be, report has it that it is costing the Colony two thousand pounds per day. The white colonists are trying to cope with it, and many citizen-soldiers have taken up arms. Today, perhaps, no further assistance is necessary, but this trouble ought to suggest reflections to the Government, as also to every thinking colonist. There is a population of over one hundred thousand Indians in Natal. It has been proved that they can do very efficient work in time of war.[2] The suspicion that they were worthless in emergencies has

[1] The Zulu revolt led by Bambata; *vide* "Speech at Congress Meeting", p. 291.

[2] The reference is to the role of the Indian Ambulance Corps during the Boer War; *vide* Vol. III, p. 129.

been dispelled. In the face of these incontrovertible facts, is it prudent for the Government to allow a source of strength, which always lies at its disposal, to run to waste? Our contemporary, *The Natal Witness*, has recently written a very thoughtful editorial on the Indian question, and has shown that, some day or other, the question of Indian representation must be seriously taken up by the colonists. We agree with the view, though Indians do not aspire to any political power in the Colony. All they require is a guarantee of full civil rights under the general laws of the Colony. This should be the birthright of every British subject living in a British territory. Refusal to accept anybody as an immigrant is, in certain circumstances, justifiable, but imposition of disabilities upon well-behaved and physically sound immigrants can never be justified either on economic or political grounds. Whilst, therefore, the question of Indian representation is undoubtedly very important, we consider that the question of Indian volunteering is more important because it is more practicable. There is, it is nowadays fully recognised, work in the field which does not require the bearing of arms, but which is just as useful and quite as honourable as the shouldering of a rifle. If the Government, instead of neglecting Indians, were to employ them for volunteering work, they would add appreciably to the utility of the Militia, and would always be able in times of trouble to rely upon Indians giving a good account of themselves. The Government, we doubt not, recognise that it is impossible for them to drive Indians out of the country. Why not, then, make the best of the material at hand, and convert a hitherto neglected community into a permanent and most valuable asset of the State?

Indian Opinion, 17-3-1906

251. AN INTER-STATE NATIVE COLLEGE

A considerable amount of enthusiasm has been evoked by the movement that was initiated some months ago by Mr. Tengo Jabavu, Editor of *Imvo*, with the object of creating an Inter-State Native College with the present Lovedale Institute as its nucleus. Both Mr. Jabavu and Mr. K. A. Hobart Houghton, organising secretary of the movement, have been touring South Africa, their purpose being the threefold one of enlisting the sympathetic co-operation of the various South African Governments, creating a healthy Native opinion on the subject by means of careful explanation and illustration, and, perhaps, most important of all, the collection of funds to enable serious work to be commenced in the near future. We have already in these columns drawn attention to the excellent and instructive programme carried out by Mr. Booker T. Washington at the Tuskegee Institute in America.[1] It is proposed to develop the work to be undertaken by the new College on the same

[1] *Vide* Vol. III, pp. 437-40.

lines of industrial training as in the American Institute. All this can do nothing but good, and it is not to be wondered at that an awakening people, like the great Native races of South Africa, are moved by something that has been described as being very much akin to religious fervour. To them undoubtedly the work must be sanctified and hallowed, for it opens up a means to advancement of thought and gives a great impetus to spiritual development. The enormous sum of £50,000 is in contemplation of collection [*sic*] from the Natives, apart altogether from subsidies from the various States and the different religious bodies interested. British Indians in South Africa have much to learn from this example of self-sacrifice. If the Natives of South Africa, with all their financial disabilities and social disadvantages, are capable of putting forth this local effort, is it not incumbent upon the British Indian community to take the lesson to heart, and press forward the matter of educational facilities with far greater energy and enthusiasm than have been used hitherto? Reformation, in matters educational, has to come from within, and we would urge that aspect of the question most earnestly upon our readers.

Indian Opinion, 17-3-1906

252. SIR WILLIAM GATACRE

We regret to note the death of Major-General Sir William Gatacre in Egypt from fever following on sunstroke. Sir William had a peculiar claim upon the gratitude of British Indians. He was the Chairman of the first Plague Committee formed at Bombay, and by his tactful and delicate handling of most difficult matters, practically all friction and bitterness were avoided. He was a striking example of what is best in the Anglo-Indian character, represented so excellently by such gallant and courteous exponents of British rule as Mountstuart Elphinstone, Munro, Tod, Sleeman, Forbes, Lawrence, and many another. Whilst Britain can produce noble gentlemen of the calibre of the late Sir William Gatacre, there is yet room for hope that India will receive that sympathetic treatment at the hands of her rulers of which she stands so much in need.

Indian Opinion, 17-3-1906

253. UNDER-POPULATION IN AUSTRALIA

The whites in Australia are jealous of any one landing on the island. They do not admit even men of their own race. Of Coloured peoples they are sworn enemies. The result is that north Australia has only 820 white inhabitants. That is, for every seven hundred square miles, there is only one white man. A man cannot eat the land; and if there are not enough men on the land, it remains barren and must be regarded as useless wealth. The people of Australia are now waking up to reality. President Roosevelt[1] has written to the Australian people that they would do themselves harm by keeping their country under-populated. Mr. Richard Arthur, a Member of Parliament, is of the opinion that, as Asia and Australia are neighbours, Asians should be allowed to settle in Australia. As such ideas spread, one may expect that Indians will eventually be able to settle in Australia.

[From Gujarati]

Indian Opinion, 17-3-1906

254. DISABILITIES OF TRANSVAAL INDIANS[2]

Deputation to the Colonial Secretary

Last Saturday, the 10th instant, an Indian deputation waited upon the Assistant Colonial Secretary. It comprised Mr. Abdul Gani, Mr. Haji Habib and Mr. Gandhi. Mr. Chamney and Mr. Burgess were present. The meeting lasted from 11-15 a. m. to 1 p. m. The following were the demands made by the deputation.

1. It takes a great deal of time to obtain permits. It should not take so long; permits should be issued promptly.

2. Great hardship is caused because applications have now to be forwarded to the Magistrate for investigation. This does not take place, and they lie unattended to.

3. The same official should visit the different places to make the investigation, so that it is done uniformly and the matter disposed of quickly. The local people may, if they want, raise objections, but the decisions should be available quickly.

4. Those who are in possession of old registration certificates should not be required to produce witnesses; permits should be issued to them as soon as they have given explanations about their registration certificates.

1 Theodore Roosevelt, (1858-1919), Republican President of the U.S.A., 1901-9

2 This was published as "Specially Contributed".

5. Permits should not be necessary for women, for they at any rate do not compete with the whites. It is very insulting to subject women to scrutiny. The number of Indian women in the Transvaal is very small, and they are all here with their menfolk. There is no reason, therefore, to doubt their *bona fides*.

6. It is outrageous to demand, at the border, both the permit and the registration certificate. Permit-holders should be immediately allowed to pass as also those who produce only the registration certificate.

7. The practice of taking thumb-impressions of permit-holders at the border is needlessly humiliating.

8. The regulation that boys under twelve years of age can enter only if their parents are in the Transvaal is oppressive. From the beginning, all boys under sixteen have been entering the Transvaal and they should, therefore, be allowed now also. Even if changes are to be made in the regulation, those boys who have already come in should be granted permits without fuss. Adequate notice must be given of the new regulation. As for children who have lost their parents, their relations should be regarded as their guardians.

9. Those who have lost their permits should be granted either certificates or some other proof. If these persons wish to go to India, they should invariably be equipped with some document of this kind. Without it they experience difficulties in coming back. If the Government have any doubts regarding their *bona fides*, the certificates may be delivered to them at the harbour. If, in the Transvaal, one loses a permit, one suffers much inconvenience in obtaining licences, etc.

10. Temporary permits should be issued for the asking. People must have full freedom to come and go for business purposes.

11. An officer should visit Johannesburg once a week in order to issue permits. People should be liable to no more than the minimum of inconvenience; for most of these people have no need to go to Pretoria except for the sake of a permit.

12. The issue of tickets [to Indians] for the train leaving at 8-30 a.m. from Johannesburg or Pretoria has been discontinued. This is quite wrong. It is hoped that immediate redress will be granted in this regard.

13. It is clearly improper to seat both men and women, and more particularly to crowd them in a single compartment as is done now.

14. As for the trams in Pretoria, Mr. Moore had said that a clarification would be issued. A change in the present arrangement is necessary. The whites should not object to Indians occupying the last one or two benches.

15. The right to travel by tram should be granted, even if the

decision in the test case at Johannesburg should prove unfavourable.[1]

16. The ousting of the Kaffirs from the Bazaar at Pretoria is wrong; for, whatever the law, Indians have for many years now earned rentals from Kaffir tenants. It behoves the Government to ensured that Indians do not suffer any loss on this account.

In his reply to the above demands, Mr. Curtis[2] said that he would place all the facts before Mr. Duncan. He was not in a position to give any decision on the spot. It was not the intention of the Government to put Indians to hardship. All possible redress would be granted. Very likely, magistrates would be asked to scrutinize refugee applications within a fortnight. If they did not do so within that period, the Protector would give the decision. He felt that women ought to pay £3.

To this the deputation answered that, if the Government were of this view, they were prepared to go to court.

Mr. Curtis said that it would be a great convenience if all the ten finger-prints were given on the permit.

The deputation flatly refused to agree to this. In the end, Mr. Curtis promised to give his decision on all the points as soon as possible and the deputation took leave of him after thanking him.

[From Gujarati]

Indian Opinion, 17-3-1906

255. *JOHANNESBURG LETTER*

March 17, 1906

Fire at Johannesburg

This week there was a very big fire here in Rissik Street, in which much valuable material for manufacturing motor cars, etc., was destroyed. The loss is estimated at about £30,000. The landlord has been hard hit because the loss was not fully covered by insurance.

Permits

The hardships on account of permits have increased. The Protector now refuses to issue even temporary ones. Two such cases have occurred recently. A merchant from Howick who wanted a temporary permit has received a flat refusal from the Protector. Similarly, a permit has been refused to a nephew[3] of the well-known Mr. Manga of Delagoa Bay. The matter is still being pursued, but it would appear a tough fight will have to be put up over permits.

Meanwhile, the Indian population of Johannesburg is being depleted

[1] *Vide* pp. 206 and 230.

[2] Lionel Curtis, Assistant Colonial Secretary

[3] Mr. Suliman Manga, a young Indian lawyer

day by day. As opportunities of earning money decrease, the people are obliged to leave.

Chinese Labour

The mining magnates here are worried and upset by the recent news that the immigration of Chinese labour is to be prohibited. This in turn has caused great disappointment among the people. It is difficult to say what the future of this city will be.

Owing to these circumstances, starvation has increased. Many are out of employment and see no way to earn their daily bread.

Vicarious Liability

An interesting suit was recently heard in the law court here. Dr. Kincaid Smith's motor car was being driven by his chauffeur and an engineer, named Mr. Clark Dacurtey[1], was at the time riding his bicycle. Dr. Smith's chauffeur turned the car slightly in from his side of the road and collided with Mr. Dacurtey's bicycle, knocking him down. He was hurt and had to be removed to hospital. Dr. Smith was not in the car when the accident occurred. Mr. Dacurtey filed a suit in the High Court here claiming £2,000 as damages. Justice Bristow, giving judgment, awarded £750 to Mr. Dacurtey; but while doing so, the honourable judge remarked that, though Dr. Smith himself was not at fault, he had to suffer vicariously for the fault of his employee. People ought to be very careful while employing a person. If the servant commits a fault resulting in injury to a third party, the damage has to be made good by the employer. Had the offence been committed by Dr. Smith's servant while he was not going on his master's business, Dr. Smith would not have been obliged to pay.

This case has a lesson for persons engaging servants, especially chauffeurs, who often make mistakes either through insolence or lack of sufficient ability, and for this the masters have to suffer.

Dr. Abdurahman

Dr. Abdurahman, the famous physician of Cape Town, is visiting this place next Tuesday. He will address meetings of the Coloured people here and at Pretoria, and immediately return to Cape Town.

[From Gujarati]

Indian Opinion, 24-3-1906

[1] Transliteration of 'Daugherty'?

256. LETTER TO DADABHAI NAOROJI[1]

BRITISH INDIAN ASSOCIATION

25 & 26 COURT CHAMBERS,
RISSIK STREET,
JOHANNESBURG,
March 19, 1906

TO
THE HON. DADABHAI NAOROJI
22 KENNINGTON ROAD
LONDON
ENGLAND

[SIR,]

I beg to invite your attention to the issue of *Indian Opinion* of the 10th March, containing a protest[2] addressed to the Natal Government by the Natal Indian Congress regarding the imposition of prohibitive fees for certificates and passes that are granted under the Immigration Restriction Act.

I need hardly say that the imposition is a totally unjust exaction for which there is not the slightest justification.

Another serious blow to the Indian community in South Africa has been given in the Transvaal. You will see from the issue of *Indian Opinion* of the 17th March a case heard before the Supreme Court of the Transvaal under Law 3 of 1885.[3] A full report of the case and comments thereon appear in the *Opinion.*

Both the matters require urgent attention.

I remain,
Yours faithfully,
M. K. GANDHI

From the typewritten original : G.N. 2271

257. THE EARLY CLOSING ACT OF NATAL

The effects of the Early Closing Act are now beginning to be felt. We have never held that an Early Closing Act would not be justifiable under any circumstances. On the contrary, we conceive that a well-thought-out measure would always be of great benefit to the community

[1] The text of this letter was, as usual, forwarded by Dadabhai to the Secretaries of State for India and for the Colonies.

[2] *Vide* "Letter to Colonial Secretary", pp. 220-1.

[3] *Vide* "Legalized Robbery", pp. 231-2.

at large; but the present Act has been framed without sufficient consideration for the consumers, or for the small retail traders. The result has been to cause much inconvenience to poor householders and a very great loss to the small traders. The only persons that could possibly benefit are large retail houses. We entirely endorse the remarks made by *The Natal Mercury* representative when he says that

> the small trader is gradually being swamped by the large houses, the number of which can be counted on one's fingers. It would be a misfortune, indeed, if legislation of this type is allowed to force good colonists to the wall and deprive them of an honest livelihood.

The remedy suggested is suspension of the Act. Experience has shown that the shops ought to be allowed to keep open later than half-past five, and that Saturday closing is a serious mistake. *The Natal Witness* has taken up, in connection with this matter, what may be reasonably termed a somewhat spiteful attitude. It concludes some remarks on the subject by saying

> it is a well-known fact that the Arab and Indian merchants in the town have been hard hit. Let the Europeans bear this well in mind.

Our contemporary urges the Europeans not to agitate against the Act, on the sole ground of its having adversely affected Indian trade. In its haste to see the Indian injured, *The Witness* has entirely forgotten that, in injuring the Indian, the small white traders, who alone can feel the competition of Indian traders, will not only be injured, but will be wiped out entirely, for whilst the frugal habits of the Indian may enable him to tide over the difficulty, the white petty traders, who notoriously fail to save, will be entirely helpless.

The real remedy is not to kill the small white retailer, so that the Indian will be hit, but in having reasonable closing hours for both European and Indian traders, so that they may get a chance of earning a living after the large retail houses have closed. The latter will always be obliged to close much earlier than the small retailers. *The Witness*, by having taken a prejudiced view of the situation, has also fallen into the error of supposing that the saving of expenses of electric light to the shopkeepers is any gain. We give *The Witness* the credit for understanding that no shopkeeper would pay for the electric current, if he could not more than make up for the expense by the profits he would gain from the trade he would be doing during those hours.

Indian Opinion, 24-3-1906

258. THE COLOURED PEOPLE'S PETITION

We have been favoured with a copy of the petition of Coloured British subjects "resident in the Colonies of the Cape of Good Hope, the Transvaal, and the Orange River Colony" addressed to the King-Emperor.

It seems that the petition is being widely circulated, and signatures are being taken of all the Coloured people in the three Colonies named.

The petition is non-Indian in character, although British Indians, being Coloured people, are very largely affected by it. We consider that it was a wise policy, on the part of British Indians throughout South Africa, to have kept themselves apart and distinct from the other Coloured communities in this country. It is true that British Indians and other Coloured people have much in common regarding their grievances, but they have little in common regarding the points of view from which each section can urge its claim. Whereas British Indians may, and do effectively, use the Proclamation of 1858 in support of their claims, the other Coloured people are not in a position to do so; and whilst some sections of the Coloured people can claim full rights as to property and movement in the Orange River Colony, British Indians have no footing whatsoever. Similarly, in the Transvaal, many sections of other Coloured people are capable of owning landed property, but British Indians are debarred from doing so under Law 3 of 1885. Whilst, therefore, the Indian and non-Indian sections of the Coloured communities should, and do, remain apart, and have their separate organisations, there is no doubt that each can give strength to the other in urging their common rights. Hence we have no hesitation in welcoming the document before us. We must congratulate the framers of the petition on having confined themselves to the barest facts. It has always appeared to us that the case for the Coloured people in South Africa is so overwhelmingly strong and just that a statement of facts in connection with it is more eloquent than any other form of pleading. The petition has left many things unsaid, but the deductions to be drawn from the statements made therein are plain enough. The petitioners have shown clearly that, in one part of South Africa, namely, in the Colony of the Cape of Good Hope, they have enjoyed the franchise ever since the commencement of representative institutions, and they show also that, even in 1892, when there was a revision of the Franchise Act, there was no alteration made imposing disqualification on colour; and, as a result, there are, at the present day, at the Cape, 14,000 qualified Coloured voters on the register. The petitioners go on to say that they have

> looked upon the possession of that right as an inducement to obtain the necessary property and education test, and have, they humbly submit, exercised that right with dignity and propriety, and in the interests of the whole community without respect of creed or colour.

But, they add, as soon as they migrate either to the Orange River Colony or the Transvaal Colony, they and their descendants come under the ban of disqualification on the ground of colour. The petitioners have rightly made the franchise the greatest plank in their programme, because, in their own language,

> deprived of these rights, Your Majesty's coloured subjects are deprived also, to a great extent, of the means of publicly ventilating, and obtaining redress by constitutional means, of any grievances that they may suffer from, and those grievances are not such as can be rectified by recourse to a court of law.

The truth of this statement can be verified from scores of illustrations. In

a country enjoying popular institutions, it is a bad day for those who have no voice in the choice of popular representatives; and through no fault of theirs or of their representatives, the disfranchised gradually go under, because under self-government, self-interest becomes predominant. British Indians have, in order that they may never be misunderstood, made it clear that they do not aspire to any political power, but they have found to their cost that, in Natal as elsewhere, as they have no voice in the election of popular representatives, their civil liberty has suffered very considerably. The Coloured petition is a weighty document. It is being numerously signed, and it is to be hoped that its prayer will receive the attention and consideration which it undoubtedly deserves. The Liberal Ministers have more than once avowed their desire to help the weaker members of the Empire. In granting the Constitution to the new Colonies, they have an unfettered discretion and a unique opportunity of putting their principles into practice.

Indian Opinion, 24-3-1906

259. THE COLOURED PEOPLE'S PETITION

We print in this issue a report of the meeting held by the Coloured people at Pretoria. We also publish a translation of the petition submitted by them. We use the term "Coloured people"[1] because, if translated as "black people", it would include the Kaffirs also. There were no Kaffirs present at the meeting. It mainly consisted of the people known as "Cape boys". And there were those who had a white father or mother. Some Malays also joined it.

This Association of Coloured People does not include Indians who have always kept aloof from that body. We believe that the Indian community has been wise in doing so. For, though the hardships suffered by those people and the Indians are almost of the same kind, the remedies are not identical. It is therefore proper that the two should fight out their cases, each in their own appropriate way. We can cite the Proclamation of 1857[2] in our favour, which the Coloured people cannot. They can use the powerful argument that they are the children of the soil. They can also argue that their way of life is entirely European. We can petition the Secretary of State for India, whereas they cannot. They belong largely to the Christian community and can therefore avail themselves of the help of their priests. Such help is not available to us. The Coloured people have evidently started a big struggle; hence the need for these comments.

In their meeting at Pretoria, they transgressed the limits of propriety and used insulting language about Lord Milner, and this has been severely

[1] Gandhiji has transliterated the term in Gujarati.

[2] Evidently a slip for 1858

criticised by *The Times of Natal.* The President of the meeting declared that, just as the Boers lost their kingdom by committing outrages against the Coloured people, even so the British would lose theirs if the atrocities continued, implying thereby that the Coloured people would rise against them. But then they have not the strength even to confront the whites. A man should always measure his strength before embarking on a task.

The petition prepared by the Coloured people is very good. They have stated all the facts necessary and nothing besides. Their facts are so eloquent that it is hardly necessary to adduce any argument in support. They have shown that they have so far enjoyed full rights in the Cape Colony, and ask why they should not have the same rights in the Transvaal and the Orange River Colony.

To canvass support for their petition, they propose to send Dr. Abdurahman[1] to England. This is a very desirable and necessary move. It is necessary for every community to do all that is possible to make its grievances heard. It is necessary to send one or two persons to England.

It is to be seen what comes out of this movement of the Coloured people. They are striving so hard that, most likely, their efforts will yield some fruit. And if their grievances are redressed, the benefit will accrue to the Indians also.

We should also attempt something similar to what they are doing.

[From Gujarati]

Indian Opinion, 24-3-1906

260. A WORD TO THE MUSLIM COMMUNITY IN HEIDELBERG

We have published a number of letters on the dissensions persisting in the Muslim community in Heidelberg. We have allowed both sides to state their points of view fully. To publish further correspondence on the subject will serve only to keep the quarrel alive. We shall therefore stop publishing such letters from next week.

The letters already published indicate that possibly both sides are more or less in the wrong. We do not propose to dwell on this. Whosesoever be the fault, we can see that the quarrel is over a petty matter, and it continues primarily because of the obstinacy on both sides. We appeal to both the parties to remove the causes of dissension and live together in peace and amity. It is the duty of their leaders to see this done. In this country we have so many hardships to suffer that they should not be aggravated by internal dissensions and difficulties. If people learn to give and take and be patient, the quarrel will soon come to an end. We earnestly hope therefore that the leaders of the two sides

1 President of the African Political Organization and member of the Cape Town Municipality

will come together, remove the discord within the Heidelberg community and restore unity.

[From Gujarati]

Indian Opinion, 24-3-1906

261. SMALLPOX IN THE CAPE

News has been received from the Cape that smallpox has started amongst the non-whites there. The Cape leaders should investigate the matter and take effective measures. It is easy to deal with smallpox by following a few rules. The danger of the infection spreading can largely be avoided by segregating the patient in a separate room and carefully nursing him there. Nothing is to be gained by concealing such diseases; for, ultimately, it is the community in which such cases occur that has to suffer.

[From Gujarati]

Indian Opinion, 24-3-1906

262. PLAGUE IN SYDNEY

News received by cablegram states that five cases of plague have occurred in Sydney. Another cablegram during the week mentions two cases on board a steamer, and adds that these were among the Coloured people. Sydney is doubtless far away, but experience shows that, whenever cases of plague occur outside India, they occur simultaneously in many places. Moreover, in a country where they are always looking hard for plague cases to be used as an argument against us, it is necessary for us to act warily. We have often pointed out that the main causes of plague are uncleanliness and impure air. We should therefore bear in mind the following instructions: houses should be kept clean; no filth should be allowed to accumulate in latrines; each time faeces should be covered over with ashes or sand; floors should be washed clean with disinfectant liquids; plenty of fresh air and light should be freely let into the house; and simple food should be eaten regularly. One need not entertain any fear if one follows these directions.

[From Gujarati]

Indian Opinion, 24-3-1906

263. *A CERTIFICATE FOR SOAP*

21-24 COURT CHAMBERS,
CORNER RISSIK & ANDERSON STREETS,
P.O. BOX 6522,
JOHANNESBURG,
March 26, 1906

This is to certify that I have now for some time used the soap manufactured by The New Soap Manufacturing Co., Bombay, and I have found it to be quite satisfactory in quality. The freedom which I understand this soap enjoys from any animal fats to my mind very considerably enhances its value.

M. K. GANDHI

From the typewritten original signed by Gandhiji : C.W. 915
Courtesy : Venilal Gandhi

264. *PETITION TO LORD ELGIN*

DURBAN,
March 30, 1906

TO
THE RIGHT HONOURABLE THE EARL OF ELGIN
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE COLONIES
LONDON

THE PETITION OF DADA OSMAN OF VRYHEID, IN THE COLONY OF NATAL,

HUMBLY SHEWETH THAT

1. Your petitioner is a British Indian subject.

2. Your petitioner has been domiciled in South Africa for the last 24 years.

3. Your petitioner opened business in Vryheid in the year 1896 as a General Dealer at what was then known as the Indian Location.

4. Your petitioner has built premises thereon estimated at £300.

5. Several attempts were made by the late Boer Government to remove your petitioner from the said premises on to a place which was to be fixed as a new Location, but owing to the intervention of the British Government, your petitioner was able to continue his business in the said premises.

6. Your petitioner always traded in Vryheid under a licence properly issued to him.

7. Your petitioner had a stock of soft goods and groceries valued at about £3,000.

8. Such was your petitioner's position when Vryheid was annexed to Natal.

9. The terms of annexation provide for the retention of Law 3 of 1885, as amended in 1886, which is known as the anti-Asiatic Law of the Transvaal.

10. According to the interpretation put upon the Law by the Supreme Court of the Transvaal,[1] British Indians are not restricted to any area as to their trade, and are free to take out trade licences in the same manner as other British subjects.

11. The Vryheid Local Board, however, refused to renew your petitioner's licence in respect of the premises above mentioned, and offered to allow your petitioner to trade in Vryheid if he removed to a new site fixed by the Board at a Location.

12. The said site is far away from Vryheid and totally unsuitable for trade.

13. It is impossible for your petitioner to carry on his business in a place which is away from the business portions of the town.

14. Your petitioner has built up an excellent goodwill in connection with his said premises.

15. Your petitioner made many attempts to get a renewal of his licence which was refused.

16. The Local Board, in order to prevent your petitioner from trading on the said premises, enforced a Natal Law, 18 of 1897, entitled the Dealers' Licenses Act.

17. Your petitioner is, therefore, subject to twofold restrictions—namely, the Transvaal Law, as also the Natal Law—which make the position of British Indians in Vryheid worse than in the Transvaal, or in other parts of Natal.

18. In accordance with Act 18 of 1897, your petitioner had to apply for his licence to the Licensing Officer, who is also the Town Clerk, and who, therefore, takes his instructions from the Local Board.

19. The Licensing Officer refused to grant a renewal.

20. Your petitioner, therefore, appealed to the Local Board in terms of the Law.

21. The Local Board, which mainly consists of rival traders and members prejudiced against your petitioner, has confirmed the decision of the Licensing Officer.

22. The following are the reasons given by the Licensing Officer for his refusal:

> 1. The Licensing Officer has no power to issue licences for premises on the Town Lands, and far less for such Town Lands as have not been formerly leased by the Local Board.

[1] *Vide* Vol. IV, p. 188.

2. I refused the Licence in the second place because by issuing the same I would act in direct opposition to Government Notice No. 191, *Government Gazette*, of the 14th March, 1905, and the laws thereunder proclaimed to be in force in the Northern Districts, which distinctly prohibit the issuing of licences to Indians, except in Locations.
3. I refused the Licence because in so doing I acted in the best interests and with the expressed feelings of the whole community, with the exception, perhaps, of the applicant's Attorney.

This will more fully appear from copy of the record hereto attached.

23. The first reason given by the Licensing Officer is entirely misleading in that your petitioner has been refused a licence to trade anywhere except in Locations.

24. The second reason is also bad in accordance with the decision of the Supreme Court of the Transvaal above referred to.

25. The third reason is the only real reason, that is to say, that your petitioner is a British Indian.

26. There is no appeal under the said Act 18 of 1897 to the Supreme Court of the Colony, the decision of the Local Board being considered final.

27. Your petitioner approached the Local Board for reasons for its decision, and the Local Board has decided not to give any reasons for its decision, as will appear from the correspondence between your petitioner's Solicitor and the Town Clerk, copy whereof is hereto attached.

28. Your petitioner then applied for temporary permission to carry on trade, pending further proceedings by your petitioner for obtaining relief. The Local Board has declined to grant the application.

29. Your petitioner has been advised that he is without any legal relief against the action of the Local Board.

30. Your petitioner has, therefore, been obliged to close his store, and has thrown upon him the whole of his stock, book debts and his servants.

31. Your petitioner respectfully submits that the action of the Local Board is high-handed, unjust and arbitrary, in that by its action in refusing to renew your petitioner's licence without any fault of his and without any compensation, your petitioner has been deprived of the means of livelihood, so far as the Board is concerned.

32. Your petitioner further submits that the manifest injury he has sustained ought not under the British Constitution to remain without a remedy.

33. Your petitioner, therefore, prays that His Majesty's Government will be pleased to intervene on his behalf and, in such a manner as to them may appear meet, would secure relief for your petitioner.

And for this act of justice and mercy, your petitioner shall as in duty bound for ever pray, etc.

Dated at Durban, this 30th day of March 1906.

DADA OSMAN

Indian Opinion, 14-4-1906

265. THE EARLY CLOSING ACT

A mountain is being made out of a molehill by some writers in the Natal Press on the Early Closing Act. Many of them chuckle with delight that at last they are in a position to hurt the Indian trader. Our contemporary, *The Natal Advertiser*, thinks with us that the Early Closing Act is not likely to detrimentally affect the Indian community, without more seriously affecting petty white traders. Had it stopped there, we should have nothing to say, but it goes on to suggest that

> a mass meeting should be called in the Town Hall, both of traders and working men, to consider this subject, and to devise some means for putting an effective check on this Asiatic immigration and competition. If this were done, we have no doubt that the real facts of the situation would come out in a way that would astonish some people and lead to some really effective and useful action being taken. This, we think, is no matter for playing with; it is a matter of self-preservation, a matter of real life and death to the white people of all classes in Natal.

We propose calmly to consider the suggestion.

We have no objection to a mass meeting being held in the Town Hall; but will it attain the object desired by our contemporary? Have the masses ever entered into a calm discussion of any subject? A mass meeting can only give strength to a movement which is based on facts, but it never sifts and finds true facts. It is guided often by invective and appeals to passions. Mass meetings, therefore, become dangerous when they are called upon to deal with a situation which has not been ascertained. We will accept the premise that the question is one of "self-preservation and of real life and death to the white people". Facts, therefore, have to be found and effective action taken thereon. Now, one fact is absolutely clear, namely, that the Indian trader is entirely at the mercy of the Licensing Officer and Local Boards. Another fact, too, is quite clear, that in several cases Licensing Officers and Local Boards have acted in a most arbitrary and high-handed manner. A third fact is that Mr. Harry Smith is watching with ever increasing vigilance the entry of every Indian immigrant into the Colony, and not an Indian is allowed to enter, either through the port or through the land border of the Colony, unless he can prove former domicile. What more can be required? If it is a question of the working of these two laws, then certainly a mass meeting will not serve the purpose. A commission of enquiry is the only remedy, and we would welcome it with open arms. If it be really felt by the European population in Natal that the Indian trader is flourishing, that he is competing unfairly and that the stringent laws are not being stringently enforced, a small committee of impartial men would soon bring out the facts, and if they proved the existence of any such situation as feared by our contemporary, it would then be time enough to call a mass meeting to give

point to the findings of such a commission of enquiry.

Indian Opinion, 31-3-1906

266. THE BULWARK OF JUSTICE

A very important case has just been heard before the Circuit Court in Potchefstroom. An attempt was made by two Europeans to levy blackmail on an Indian merchant in Potchefstroom. The method adopted was to take him to the wife of one of them, and there to charge him with an attempted rape. The conspiracy was all but successful. The blackmailers received £300 by cheque from the terrified Indian, but fortunately for the latter, he immediately sought legal help. His lawyer advised him to stop payment of the cheque and lodge information with the police. This was promptly done. The men were arrested and so was the woman. The result was a sensational case before Justice Wessels, and the Indian's reputation was made good. The charge of blackmail was proved, and the two male prisoners were sentenced to three years' imprisonment with hard labour. There was no supporting evidence for the Indian's story with reference to the blackmail; as against him, there were the two Dutch prisoners, who emphatically said that he was attempting to rape the female prisoner. The Indian stoutly denied it, and said that he was inveigled into the house and then falsely charged.

That, under such difficult circumstances, an Indian has been able to get justice is a matter for universal congratulation, as it is of very great satisfaction to British Indians. Once more it has been proved, in a most striking manner, that the fount of British justice, when it is a matter of the High Court, is the purest possible. A long line of fearless and impartial judges has handed down traditions which have become an inherent part of the British Constitution, and we have no hesitation in saying that one of the greatest secrets of the success of the Empire is its ability to deal out even-handed justice. A case such as the one we have referred to makes up for many a defect in the legal administration in the various British possessions. It serves as a beacon-light to tell Indians, and all those who may suffer from temporary disabilities and consequent irritation, that they need not be without hope, so long as the fierce sun of pure justice beats on the chill surface of broken promises.

Justice Wessels in his summing-up not only dealt with the case itself, but felt called upon to deal generally with the right of the meanest British subject to have a full and fair hearing. "It was a painful thing," said His Lordship, (we quote the report in the *Potchefstroom Budget*,)

> to hear in this country—he had heard it in that Court that day—that when they had a conflict of evidence between a white man and a black man, they ought to accept the testimony of the white man. That was a fallacy, an untruth. He thought the jury would act very wrongly if they accepted the testimony of the white man against the black that day. The liberties and property of the black

> man should be respected to the utmost of their power. There would be nothing more fatal than that they should, when they had the interests of the white and black man to deal with, for one moment swerve from their sense of justice. The black man in this country must have as true justice meted out to him as the white man among the highest in the land. That was a maxim they must keep before them, and not, because the prosecutor was a black man, let the prisoners off.

Every true lover of the Empire must feel deeply grateful to Justice Wessels for having so nobly vindicated British justice.

Indian Opinion, 31-3-1906

267. INDIAN VOLUNTEERING

Mr. Watt, the Minister of Defence, has been "letting himself go" at a recent meeting which was held in connection with the militia. In reply to a question:

> Do the Government propose to make Arabs, in possession of stores in various parts of the Colony, join the militia reserves, and if so, will they provide them with rifles?

the answer, we are told, which Mr. Watt gave, drew forth a round of applause. "I am pleased," he is reported to have said,

> to say that the militia is composed entirely of Europeans. I should be sorry indeed if I should have to depend for the defence of myself and family on Arabs, but the Government, I am glad to say, has power in time of war to turn out all the Coloured population—Indians, Natives and Arabs—for any service which may be necessary.

The following further question was then put:

> Does the Government recognise that when the Europeans are called out, the Arabs will obtain the trade in all districts? What do they propose doing in regard to this?

Mr. Watt's reply was in keeping with the first:

> That is a matter in which I think the leaders should have a voice. If I were a leader, I should advise the Government to regulate the opening and closing times of shops. I should see that Europeans were not treated worse than Arabs, and I should see that the Arabs had their share of the work, if not in carrying rifles, in digging trenches.

We have no doubt that, as Defence Minister, Mr. Watt knows that digging of trenches is just as necessary in warfare as the shouldering of a rifle. If, then, he would not depend for his own and his family's defence on Arabs, why will he have the latter to dig trenches? Either work, we have it from the late Mr. Harry Escombe, who, too, was a Minister of Defence, is equally honourable. Whether Mr. Watt, on reconsideration, would have himself or the Colony defended by Arabs and Indians or not, by the work of digging trenches or other work, how does he expect them to do any work in connection with warfare unless previous training is given? Even the camp-followers in an army require proper discipline, otherwise they are, instead of being a help, a positive nuisance. But we

despair of having either common sense or justice at the hands of a Minister who so far forgets himself as to offer an unwarranted insult to a whole class of inoffensive people.

In contradistinction to the attitude shown on various occasions by the Minister of Defence — whose business it is as a Minister, we might remark, to put his personal prejudices in his pocket — we welcome an editorial in *The Natal Advertiser* of the other day, which we reprint elsewhere. Our contemporary rightly gives Indians and Coloured people the credit due to them. It also points out that Section 83 of the Militia Act states that no ordinary member of a Coloured contingent shall be armed with weapons of precision, *unless such contingents are called out to operate against [persons] other than Europeans.* Now it is evident that, in the unfortunate event of such a state of affairs arising as to necessitate the arming of an Indian contingent, the arms would be useless in the hands of inexperienced men. Why will not the authorities adopt the suggestion we made some time ago,[1] and raise a volunteer corps from amongst Indians? We feel sure the Colonial-born Indians especially — Natal's own children equally with the whites—would give a good account of themselves. Why do not the Colonists insist on these, at all events, being given a chance to prove their mettle?

Indian Opinion, 31-3-1906

268. THE TRANSVAAL CONSTITUTION

The Home Government have lost no time in appointing the much-talked-of Committee of Inquiry on Transvaal affairs. Two of the members, Sir West Ridgeway[2] and Lord Sandhurst[3], are men with Indian experience. The scope of the inquiry is to be limited to finding out a basis for the new Constitution. The Government do not[4] "find it possible to form a Constitution without information, and this it hopes to obtain from you". The Commissioners are to take into their consideration, amongst other things, "community or diversity of interests", and political and social conditions; and though it is difficult to state whether the scope of the inquiry includes an examination of the question of Coloured franchise, it is to be hoped that the Commissioners will have full power to advise upon that difficult and delicate subject. Events that are happening in the Transvaal and elsewhere show the force of the remarks made in these columns, that, in the absence of any other remedy for the protection of Indian rights, Indian representation seems to be necessary.

Indian Opinion, 31-3-1906

1 *Vide* "A Plea for Indian Volunteering", pp. 233-4.

2 Formerly, Governor of Ceylon

3 Formerly, Governor of Bombay

4 The original has "cannot".

269. INDIAN LABOUR FOR THE TRANSVAAL MINES

The Transvaal papers are full of cablegrams regarding the proposed negotiations with the Government of India for the supply of Indian labour. We are glad that the Anglo-Indians in England are hostile to the movement for two reasons; first, that there will be very great mortality amongst the Indian miners, and secondly, because Indian mine-labourers are all required for mining enterprise in India itself. It will be remembered that, when Lord Milner asked Lord Curzon to let him have ten thousand Indians for the railway works, Lord Curzon declined to give the assistance unless the grievances of British Indians resident in the Transvaal were redressed.[1] This was two years ago. The position of British Indians in the Transvaal is no better today than it was at the time Lord Curzon declined to come to the rescue. There are, therefore, three good reasons why Indian labour should not be made available for the mines in the Transvaal. We think that, in any case, the bartering of the liberty of Indian labourers for the removal of the disabilities of British Indian settlers in the Transvaal would not be a creditable act and would create a very bad precedent. Each question, in our opinion, ought to be treated on its own merits. We have no doubt that British Indians in the Transvaal would decline to receive greater freedom if it involved unjust and unnatural restrictions on the liberty of their poorer countrymen. We also feel that an introduction of thousands of Indian mine-labourers into the Transvaal would render more complicated a situation which is already fraught with many difficulties. We, therefore, trust that both Mr. Morley and Lord Minto will firmly oppose any proposal to assist the Transvaal at the expense of the interests of their wards.

Indian Opinion, 31-3-1906

270. INDIANS AT THE CAPE

The Cape *Government Gazette* of the 16th March contains a Bill to amend the Cape Immigration Restriction Act of 1902. The Bill is decidedly a retrograde step, so far as British Indians are concerned.

The Act of 1902 was conceived in secrecy and sprung upon the public in indecent haste, so much so that many members of the Cape Assembly protested against its being rushed through the House. However, the Act was passed. Now, by the Bill in question, it is proposed to amend it. British Indians who approached the Government were almost assured that the latter would take an early opportunity of altering the Act in the direction suggested by them, and that they would probably ask the House to recognise the great Indian languages for the educational test,

[1] *Vide* Vol. IV, pp. 102-3.

and make suitable provision for the entry of domestic servants and others for the benefit of those that were already settled in that Colony. Instead, however, of any such improvement being made in the Act, the Bill is calculated to place still further restrictions on the liberty of British Indians. That it is of general application does not take away from its deadly effect on the Indians at whom it is mainly aimed. There is no definition of an immigrant in the present Act. The common law definition, therefore, that an immigrant is one who enters to settle in the country, is applicable under it, and therefore, by inference, the Act leaves it free for the Minister to grant visitors' passes, and to allow Indians and others, who may enter the Colony for a temporary visit, to do so unmolested. The Bill in question changes all this, and defines an immigrant to "mean and include any person who, arriving [from] without this Colony, enters or claims to enter from land or sea". We imagine that, in such a definition, which is quite artificial, there will be no room left for provision being made to enable mere visitors to pass through or sojourn in the Colony. Another important difference the Bill makes is that, whereas the Act of 1902 excepts from its operation persons domiciled in South Africa, the Bill excepts only those who "prove to the satisfaction of the Minister that they are domiciled in the Colony, and that they do not come under sub-sections *c*, *e*, and *f* of the preceding section". The restriction, therefore, is much more severe, and will put endless obstacles in the way of British Indians entering the Colony. The question of domicile is now to be left in the hands of the Minister, instead of being left to the interpretation of the Supreme Court. Only a few days ago, we commented upon a case that happened at the Cape where an Indian was able, because he could approach the Supreme Court, to make good his claim to a domicile in South Africa. Had the poor man been left to the mercy of the Minister, he would have received short shrift. Then, again, domicile under the Bill is to be restricted only to the Cape Colony. Those, therefore, who are still in the Transvaal or Natal will be unable to enter that Colony. We trust the British Indian League of Cape Town will take the matter up, and see that proper relief is granted.

Indian Opinion, 31-3-1906

271. DEATH OF MISS BISSICKS[1]

It is our painful duty to announce the death of Miss A. M. Bissicks of Johannesburg on Monday last after an operation. Miss Bissicks was an accomplished English lady. She took a leading part in the vegetarian movement at Johannesburg, and was a prominent member of the Theosophical Society. In many ways she had much sympathy with Indians, and her death will be greatly regretted.

Indian Opinion, 31-3-1906

[1] *Vide* p. 33 *f.n.*

272. PERMIT HARDSHIPS IN THE TRANSVAAL

We hear that the hardships caused by the problem of permits in the Transvaal are increasing daily. The issuing of temporary permits now seems to have been stopped altogether. Mr. Suliman Manga, the nephew of Mr. Ismail Manga, who arrived recently in Durban from England, applied for a temporary permit for proceeding through the Transvaal to Delagoa Bay, but his application was rejected by the Colonial Secretary, and Mr. Suliman Manga had to take the sea route. This is no small injustice.

Mr. Nomura of Japan had difficulty in obtaining a temporary permit, and he shook up the whole of the Transvaal because of it. Mr. Suliman Manga, being a British subject, had a greater right than Mr. Nomura. His education also gives him a better claim. Yet he was not permitted to pass through the Transvaal.

This is only an instance of the present hardships. But if all the reports we hear are correct, the promise made by Lord Selborne is being honoured only in the breach.

[From Gujarati]

Indian Opinion, 31-3-1906

273. WAR CLAIMS

The Commission appointed to examine the claims for damages filed with the Government by persons who have suffered losses on account of the war have completed their inquiry. It appears from their Report that nearly 90,000 claims were filed, amounting in all to £20,00,000[1]. The claimants have been awarded £95,00,000[1], of which £50,00,000 goes to the burghers of the Orange River Colony, £20,00,000 to British subjects and others, and the rest in favour of the burghers of the Transvaal and Vryheid.

[From Gujarati]

Indian Opinion, 31-3-1906

[1] There is some error in the figures, for the compensation paid could not have exceeded the claims preferred.

274. NEW COMMITTEE OF BRITISH M. Ps. FOR INDIAN AFFAIRS

Sir William Wedderburn misses no opportunity of doing India a good turn. The latest issue of *India* shows that he held a meeting and organized a parliamentary committee for India. Some years ago, there existed a committee, which, however, became practically defunct during the last Parliament. Members of Parliament who are well-wishers of India have joined this Committee, and it is a very powerful one. Some very eminent Members of Parliament, such as Sir Henry Cotton, Mr. Herbert Roberts, Mr. Pickersgill and Mr. O'Donnell have joined it, and they believe that India will get justice at the hands of the new Parliament. For all this we are beholden to Sir William Wedderburn.

[From Gujarati]

Indian Opinion, 31-3-1906

275. SIR GEORGE BIRDWOOD'S COURAGE AND THE MEANNESS OF A CLUB

St. Stephen's Club in London is very old and famous; Sir George Birdwood was a well-known member. He has served for many years in India and has always been a friend of the Indian. Sir George proposed the name of a very famous Indian for membership of the Club. But as the other members objected to the proposal, Sir George resigned his membership. Congratulations to Sir George! It is thanks to such Anglo-Indians that Indians have tolerated British rule.

[From Gujarati]

Indian Opinion, 31-3-1906

276. DONATION BY CADBURY BROS.

How to Treat Employees

The firm of Cadbury Brothers, of Cadbury Cocoa fame, is well known throughout the world. From small beginnings they have built up a huge concern. They are now the proprietors of the *Daily News* of London and belong to the Quaker sect. They have always spent a portion of their profits on improving the conditions of their employees. They have raised a fund of £60,000 to pay the pensions of their employees, of whom they have a large number, many of them very old and loyal. Where there is such appreciation of labour, small wonder that the workers should consider their master's work as their own and do it with care and diligence.

[From Gujarati]

Indian Opinion, 31-3-1906

277. *JOHANNESBURG LETTER*

Dr. Abdurahman's Address

A large meeting of the Coloured people was held in the Milner Hall on March 21. Dr. Abdurahman, who is the President of the African Political Organization as well as a member of the Cape Town Municipality, had especially come here to attend it. The meeting was presided over by Mr. Daniel, and the hall was packed, about 500 men attending. Some Indians too were present, including Mr. Abdul Gani, Mr. Omar Haji Amod Zaveri, Mr. Haji Ojer Ally, Mr. Gandhi and others.

The following were the main points of Dr. Abdurahman's speech.

Purpose of Meeting

"We have foregathered here today with a view to petitioning His Majesty about our rights. The petition has already been drawn up and signatures of all the Coloured people are being obtained. When we in the Cape learnt of the hardships suffered by you in the Transvaal and the Orange River Colony, we thought that we should do the best we could for you. That would be in our interests as well. For, if your rights are whittled down, the same may well happen to us in the Cape too.

Our Grievances

"The Coloured people in the Transvaal and the Orange River Colony have to suffer many deprivations. But the most important among them is that they do not have franchise and have been divested of many civil rights. If we continue in a state of slavery, our condition is bound to deteriorate from day to day. There is no difference between taxing people without their consent and stealing their money. If therefore the Coloured people do not possess the right to franchise, no taxes should be levied on them.

The Remedy

"The best way to end these hardships is now to petition the King-Emperor. We have done all we could here in South Africa. A new ministry has come into power in England, and hopes of these grievances being remedied have been aroused. If we start putting forth our best efforts, we shall doubtless obtain our rights gradually.

"We are worthy of these rights. The greatest hero of the South African War was Esau who sacrificed his life out of loyalty to the British. When the majority of the Boers opposed the British Government, the Coloured people remained single-mindedly loyal. In the Cape, the Coloured people have the right of franchise just as the whites have and they have never misused it. If it is true that the war, as British officials have

claimed, was fought for our sake, then there should be no oppression practised against us.

A Difficulty

"Our position is strong, and we should, therefore, by and large, acquire these rights. But there appears to be an obstacle in the way. When the peace treaty with the Dutch was signed, it was agreed that the Natives should not be granted the right to vote before responsible government had been established. Everything hinges on the interpretation of the word 'Native'. If all those who are born in South Africa are to be regarded as Natives, the whites born there should also come under that category. But no one would interpret the term thus. The word 'Native' has but one meaning everywhere, viz., one whose mother and father are both Kaffirs. If this interpretation is correct, we are not covered at all by the treaty with the Dutch. This small lacuna in the treaty we owe to Lord Milner. However, in the meeting at Bloemfontein, Lord Milner posed the question, 'Even if everybody's claims are met, what about the Coloured people?' We too wish to ask the same question."

Resolutions at the Meeting

After this speech, two resolutions were passed: one adopting the draft of the Coloured People's Petition, and the other deputing Dr. Abdurahman to act as our spokesman before Lord Selborne.

After the two resolutions were passed, *God Save the King* was sung, and the meeting dispersed.

[From Gujarati]

Indian Opinion, 31-3-1906

278. JOHANNESBURG LETTER

March 31, 1906

Dr. Abdurahman

Dr. Abdurahman has left for the Cape after spending eleven days in this Colony. He had interviews with Sir Richard Solomon and General Smuts at Pretoria. He interviewed Lord Selborne at Johannesburg on March 30. He placed before His Excellency the grievances of the Cape Coloured people residing in the Transvaal and the Orange River Colony. The substance of Lord Selborne's reply was that he was unable to do anything for the present. He would render all possible help when the new constitution came to be framed. He was very polite, and favourably disposed. But it is doubtful whether he will be here when the new constitution is drafted.

Many Coloured people from the Cape were present at Bloemfontein station to see Dr. Abdurahman off.

Tramway Case

The Town Council had given notice of appeal against the Magistrate's judgement in the tramway test case which was decided in our favour.[1] But their lawyer has announced that the Council do not now wish to prefer an appeal. However, it appears that the Indians will be allowed to travel in the trams only after yet another case has been fought and won, for the Town Council believe that their point of view was not argued fully in the former instance. I am afraid therefore that our people will have to wait for some more time.

Scrutiny of Houses

Dr. Porter has been conducting a rigorous inspection of houses. Even in a locality like Dorenfontein, a building belonging to a white has been sealed and he has been obliged to have his house demolished. Landlords of Indian houses, wherever these are in a bad condition, should therefore be wary.

Chinese Labour

The excitement over the question of Chinese labour is still continuing. The miners are ill at ease, with the result that trade is becoming slacker every day and, at least for another year, trade will continue to drift much the same way.

Hundreds of white workmen, masons, painters and others are idle. Of the 500 railway workers at Bloemfontein, only 300 remain, and 150 of these have been served with notices by the Government terminating their services.

Two Indians have been arrested for entering the Colony without permits or with forged ones. Their cases will be heard on April 9. Meanwhile both of them have been released on bail.

[From Gujarati]

Indian Opinion, 7-4-1906

279. LETTER TO CHHAGANLAL GANDHI

Johannesburg,
April, 6, 1906

MY DEAR CHHAGANLAL,

I have your letter. Am I to understand from your letter that you received the Gujarati matter from me only on Wednesday? If so, there must be something terribly wrong, for I took very special precautions that the matter written on Sunday was posted before four o'clock. The matter written on Saturday was posted in due time. I have asked you

[1] *Vide* pp. 230-1.

to send me the envelopes bearing the dates, so that I may have the matter investigated here.

Why should there be any difficulty in giving quotations for full-page, half-page and quarter-page advertisements? I do not think the rate depends upon the quantity of type to be used. When a man hires so much space, we are bound to give him all he can require within that space, so long as we can put it in reasonably, so that it should not be difficult to give quotations for space. As soon as you give the quotation, it is possible to get a very good advertisement from Cape Town. Please therefore do not delay the matter.

I am anxiously awaiting your decision regarding Mrs. MacDonald.

I am glad Maganlal is getting better. He should not overwork himself. If therefore he feels very weak, he should stay away yet for a day or two, for, if he has a relapse, he will feel infinitely worse and weaker than before.

I have already told you not to print the letter from Mr. Bhayat. I returned the letter last week with instructions endorsed on the letter not to print it. I am now destroying Mr. Bhayat's letter you have sent me.

I cannot think who R. K. Naidoo is. You may try to get the money through Lawrence. I have already told you that you may in your discretion issue letters of demand against those who continually neglect payment.

Yours sincerely,
M. K. GANDHI

1 Enclosure

C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4345

280. LETTER TO COLONIAL SECRETARY

DURBAN,
[Before *April 7, 1906*]

TO
THE HON. THE COLONIAL SECRETARY
PIETERMARITZBURG

SIR,

We have the honour to acknowledge your letter of the 24th ult., dealing with the subject-matter of our letter of the 10th ult.,[1] in

[1] *Vide* "Letter to Colonial Secretary", pp. 220-1.

an exhaustive manner for which the Committee of our Congress is obliged to you.

Our Committee freely admits that the passes and certificates referred to in our letter are intended for facilitating the movements of those who hold such passes.

The submission of our Committee is that such passes are issued for the satisfaction of those who desire the enforcement of the Act.

Our Committee contends that, although the immigration of certain persons affected by the Act is prohibited, their passage or their temporary sojourn in the Colony is not. Although there is no obligation on the part of those who are entitled to remain in the Colony to take out domicile certificates, etc., the stringency with which the Act is being enforced renders it absolutely necessary that British Indians should hold them.

Our Committee is aware that most of the visiting passes are taken out by Indians in the Transvaal. This is natural, as there is so much inter-trade between the two Colonies.

Our Committee is of the humble opinion that every facility should be given to Transvaal Indians by issuing visiting passes. Both visiting and embarkation passes, as to which a prohibitive fee has been imposed, are a source of considerable revenue to the railways. The whole of this question was raised during the late Mr. Escombe's administration when similar fees were imposed and, subsequently, on representations by our Committee, withdrawn.

Our Committee feels that the charge for wives' passes, as also the embarkation and visitors' passes, is a very serious thing and, therefore, requests reconsideration.

We have the honour to remain,
Sir,
Your obedient servants,
O. H. AMOD JOHARI
M. C. ANGLIA
JOINT HONORARY SECRETARIES,
NATAL INDIAN CONGRESS

Indian Opinion, 7-4-1906

281. LETTER TO THE "LEADER"[1]

WHEN IS AN INDIAN NOT AN INDIAN?

[JOHANNESBURG,
Before *April 7, 1906*]

[TO
THE EDITOR
The *Leader*
JOHANNESBURG

SIR,]

Some time ago, you were pleased to offer to Mr. Nomura, a Japanese subject, a public apology, because the Chief Secretary for Permits had refused to grant to the gentleman a temporary permit. May I enlist your sympathy on behalf of a British subject? Mr. Suliman Manga[2], I understood, was a British Indian. He is studying for the bar. He has returned from England to pay a visit to his relatives in Delagoa Bay. I was instructed to apply for a permit for Mr. Manga, enabling him to pass through the Transvaal on his way to Delagoa Bay from Durban. The Government declined to grant the permit, and have hitherto declined to give reasons for their decision. I had the honour to represent Mr. Nomura. His status was undoubtedly high; Mr. Manga's is, if possible, higher. He is the son of a very well-known Indian merchant in Delagoa Bay, and is himself a member of the Middle Temple. Yet, considered as a British Indian, he could not pass through the Transvaal.

I have now discovered that I was mistaken in thinking that Mr. Manga was a British Indian. On his reaching Delagoa Bay by sea, he made another fruitless attempt to obtain a permit through the Government, but they would not alter their decision. He was born in Portuguese India, and he, therefore, claimed the rights of a Portuguese subject. As such, he approached the Secretary to the Government at Delagoa Bay, on whose intervention he has obtained a temporary permit to enter the Transvaal. Mr. Manga, a Portuguese subject, has won; Mr. Manga, a British subject, has been disgraced. Such is the reward that the British Indian community gets at the hands of the Government for its extraordinary patience and forbearance.

[*Yours, etc.,*
M. K. GANDHI]

Indian Opinion, 14-4-1906

[1] This undated letter was published in the *Leader* of April 7 under the heading "Distinction without Difference".

[2] *Vide* "The Transvaal Permit Ordinance", pp. 278-9 and "Letter to William Wedderburn", pp. 273-6.

282. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
April 7, 1906

MY DEAR CHHAGANLAL,

I have received the parcel through Mr. Bean. I wish you would make use of Hemchand and instruct him to write to me on official matters. It is very necessary that I should be kept informed. I am quite aware of the pressure under which you are labouring, but it is for you to relieve the pressure by taking advantage of the help that may be at your disposal. Surely you can even ask Gokuldas to drop me a line. All the matter I send ought to be acknowledged, so that in the event of miscarriage I may send more if in time. I am most anxious to learn your views about Mrs. MacDonald. They can be expressed also through Hemchand or Gokuldas or Anandlal. There are so many details to be attended to by me which I cannot without information from you. Motilal writes to me saying that there is a new arrival from Bombay. His name is Dhoribhai. He says he knows the press work well. He offers his services at £4 per month and free lodgings. It is worth while knowing him, if you think that there is pressure. Whatever happens, three things are absolutely necessary:

(1) Books must be kept up to date;
(2) The paper must not be starved;
(3) You should not be over-worked.

Neglect any of these things and there will be a catastrophe. One result of your trying to do too much is disregard of official correspondence. For instance, you should have quoted the rates immediately. I would therefore like you to consider this carefully and put the matter right. It is for this reason that I have suggested Mrs. MacDonald. She is a most excellent worker, methodical and in industry quite a match for you or Mr. West, and I have no doubt that she will be able to keep the books. I shall probably be there next week. I want to take my ticket before the Easter holidays are over, but I am anxious to decide about Mrs. MacDonald before I go there, so that, if necessary, I can bring her with me. I am sending some Gujarati matter today and I hope it will be received by you on Monday. If both you and Mr. West and others can come to some decision, I should appreciate a telegram from you in this matter. You should consult Anandlal, Maganlal and Sam. If you get the *Weekly Star* or the *Weekly Leader* or the *Weekly Rand Daily Mail*

in exchange, please pass [it] on to Mr. Isaac.

Yours sincerely,
M. K. GANDHI

TO
C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original: S.N. 4347

283. THE HAVEN OF REFUGE

Amid all the turmoil that South Africa is passing through, the Courts of the different Colonies have been standing out as places of safety. We had the pleasure of reproducing Mr. Justice Wessels' summing-up in an Indian case[1]; in this issue we give, from the *Transvaal Leader*, Mr. Justice Mason's judgment in a Chinese case. As it is the Transvaal which is at present suffering from the most arbitrary laws, it is there that the judges are called upon to exercise their traditional independence and to protect the liberty of the subject.

A Chinese policeman in the employ of the Foreign Labour Department, having proved troublesome, was, it appears, without any warrant, arrested, handcuffed, and lodged in a cell at the instance of the Superintendent of the Foreign Labour Department, and under a section of the Chinese Labour Ordinance, ordered to be repatriated. Before the unfortunate policeman was sent away to Durban, he was prevented from receiving legal assistance or from seeing his friends, and had it not been for the fact that he was able, surreptitiously and behind the back of the Superintendent, to sign a power of attorney appointing solicitors, he would probably have gone away to China without relief and without being heard. Whether the policeman was a dangerous character or not is quite beside the point. We do not enter into the merits of the case. The facts we have stated above are admitted.

The Superintendent of the Foreign Labour Department was informed that the solicitors who were retained by the man were going to apply to the Supreme Court for a writ of *habeas corpus*, and yet, before the writ was issued, the man was safely sent away to Durban. The Superintendent was, however, called upon to appear before the Supreme Court and to produce the policeman. At the hearing, which took place on the 30th day of March before Mr. Justice Mason in Pretoria, an attempt was again made to frustrate the application by the Superintendent stating that it was physically impossible for him to produce the policeman, owing to the Chinese Labour Ordinance preventing any Chinaman from

[1] *Vide* "The Bulwark of Justice", pp. 250-1.

entering the country without a licence, and owing to such licences having been stopped.

The matter was argued by Mr. Smuts, on behalf of the Chinaman, and Mr. Justice Mason, in delivering judgment, strongly deprecated the action of the Superintendent.

> One of the most serious features of the case was that, in substance and in fact, the Superintendent of Foreign Labour had brought to bear a tyrannical exercise of power in preventing any one from having access to the Chinese Sergeant. He regarded that as a very serious thing indeed. He thought the only way of preventing a person being illegally done away with and illegally treated was to uphold to the fullest extent the right of every person to have any of his friends to see him who chose to go. . . . His action had the effect of defeating any such action, and he did wrong in sending the coolie out of the Colony with a notice, like that served by the solicitors, hanging over his head.

The learned Judge has made an order for the production of the man, and has ordered the Superintendent to show cause why he should not be punished for contempt of court by deporting the Chinaman from the Colony when he knew that an application was to be made for his protection before the Court. He also ordered that Mr. Jamieson[1] should pay all the costs, as between attorney and client, of the application, and added that "he made that order chiefly because of, what he has called before, 'the tyrannical exercise of power in preventing any person from having access to the applicant' ".

Here is an official, on the one hand, enjoying a very influential position, and, on the other hand, a humble policeman, and yet the policeman has been able to make good his right of being heard before the highest tribunal of justice in the Transvaal. The Superintendent himself must feel proud of an institution which thus protects the liberty of the meanest subject under the Crown; for what has happened to the Chinaman at his hands, it is quite conceivable, may happen to the Superintendent at the hands of those who may be superior to him. It may be a mere error of judgment on Mr. Jamieson's part, but it is better that he should suffer rather than that the liberty of the subject should remain without vindication.

Indian Opinion, 7-4-1906

284. THE INDENTURE TAX

We took from *The Times of Natal*, last week, a report of a prosecution, under the Immigration Law of the Colony, for recovering the annual tax of £3. On looking through *The Natal Witness*, we find that the prosecution was not only against himself, but also against his wife. The only manner provided by law of recovering the tax is "by summary process by any clerk of the peace or other officer appointed to get in such

[1] Superintendent, Foreign Labour Department

licence money". In the process, it appears the personal jewellery of the Indian woman has been taken, under order of Court, by the prosecuting sergeant as security. She has been given three months within which to pay the tax, under pain of her jewellery being sold if the tax is not paid within the period. Both the magistrate and the prosecuting sergeant have been considerate, and yet the grievous hardship that indentured Indians, who become free, have to suffer, by reason of the imposition, has been clearly brought out by the prosecution. So long as the poor woman has a bit of jewellery or other personal effects about her, she will be called upon to pay the money, whether she was earning anything or not, and whether she can otherwise afford it or not. This is the reward that the indentured Indians get after five years' service in Natal!

Indian Opinion, 7-4-1906

285. POLITICAL TURMOIL IN NATAL

Important events, the effects of which will not be forgotten for many years, took place in Natal last week. As a result of these, Natal has gained in stature. The cause of self-government has triumphed; but the British Empire has received a set-back.

The Kaffirs in Natal rose in revolt against the poll-tax. Sergeants Hunt and Armstrong[1] were killed in the revolt; martial law was declared in Natal and the Kaffirs were severely dealt with. Some Kaffirs were prosecuted under the martial law, and twelve of them were condemned to death and blown up at the mouth of a cannon. The Kaffirs from neighbouring areas and their Chief were invited to witness the execution, which was to take place on March 29.

Meanwhile, Lord Elgin sent a cablegram from England to the Governor of Natal, asking him to suspend the execution of the sentence. The executive councillors of the Natal Government resented this and tendered their resignations to the Governor. The Governor asked them to wait until a further communication was received from Lord Elgin, and to this they agreed.

As soon as the full story became known, a wave of excitement swept over the whole of South Africa. The Press protested vehemently, arguing that the constitution of self-governing Natal was violated by Lord Elgin's intervention. They said that, as Natal was a self-governing Colony, the Imperial Government could not interfere in its administration. Congratulations were showered from every side on the executive councillors for having resigned. Meetings were held at many places, and speeches made against the Imperial Government.

The Imperial Government believed that, since they had helped Natal to put down the rebellion, it was their duty to see that justice was done

[1] Sub-Inspector Hunt and Trooper Armstrong of the Natal Police

to the Kaffirs; and hence they saw nothing improper in asking the Natal Government to put off execution of the sentence. But South Africa became excited, the arguments of the Imperial Government proved unavailing, and Lord Elgin had to bow down before Natal opinion.

Lord Elgin has written to the Governor that, on inquiry, it was found that justice had been done in the case of the Kaffirs, that the Imperial Government did not now wish to interfere in the administration by the executive councillors of Natal, and that they could do what they deemed proper. Lord Elgin has, however, put the entire blame on the Governor. He further says that no intervention by the Imperial Government would have taken place if the Governor had supplied all the facts of the case at the outset. Twelve lives have been taken for two. The twelve Kaffirs were blown to death at the mouth of a cannon on Monday.

During all this excitement, only one man kept a cool head, and that was Mr. Morcum. At a meeting in Maritzburg, he declared that Lord Elgin's move was quite proper. It was a matter of saving human life, and there was no need for the executive to resign. Hunt and Armstrong were killed before martial law was declared; and hence the Kaffirs ought to have been tried by the Supreme Court. The whole meeting was against him, and though they hissed and hooted at him, the brave Mr. Morcum had his way.

What is the outcome of all this? That some Kaffirs were killed will soon be forgotten. We cannot say for certain whether or not they have received justice. But wherever self-government has been granted, a people become overweening. They will take undue liberties, and the Imperial Government will hesitate to intervene. It will seldom do so, for, as the saying goes, a man once bitten by a serpent dreads even a length of rope. It is only the Coloured people who stand to lose by this. They have no vote. Where they have it, they cannot use it effectively, so that the Colonial authority will place greater restrictions on them, and they alone will get justice who ingratiate themselves with it. Great changes are likely to take place in South Africa during the coming years. The Indians and other Coloured people have much to ponder and they must act with circumspection.

[From Gujarati]

Indian Opinion, 7-4-1906

286. THE LAND ACT IN THE TRANSVAAL

An Important Law Suit

In the Transvaal, there was only one plot of land outside the Location registered in the name of an Indian, the well-known Sheth Abubaker Amod, who is no more. The land was in Church Street in Pretoria. The late Mr. Abubaker bought it in June 1885, and the sale-deed was

presented at the Registrar's office on June 12, 1885. The anti-Indian Act came into force on June 17. There were some difficulties in getting the deed registered. The British Agent intervened, and it was only after a special letter was written by the State Attorney that the Registrar registered the documents on June 26. Mr. Abubaker died in 1888. Until now, the possession and enjoyment of the land has vested in the heirs or trustees of the late Mr. Abubaker. According to law, the disposal of a man's estate on his death should be through the Government. This estate has not, however, been dealt with in this manner, and the land has remained untransferred to the heirs. When the land fell vacant in 1905, it was decided to let it out on a long lease for building a house on it. Now, according to the Transvaal laws, every long lease has to be registered at the Registrar's office. Hence steps had to be taken to have the land transferred to the names of the heirs, for, under the law, land could not remain in the name of a deceased person. The heirs being Indians, the Registrar refused to transfer the land to them. Thereupon an appeal was filed against the Registrar before a civil judge. The Registrar put forward two reasons for not transferring the land to the heirs. First, the land was registered after Act 3 of 1885 had been passed; and since that Law prohibited Indians from holding land in their names, the sale-deed executed in favour of the late Mr. Abubaker was void and should therefore be cancelled. Secondly, even if it was conceded that the sale-deed in favour of Mr. Abubaker was legally valid, his heirs, being Indians, could not hold the land in their own names under the Act of 1885. Justice Fox who heard the appeal accepted the Registrar's second plea, and dismissed the case. An appeal against this decision was preferred to the Supreme Court on behalf of the heirs. Barristers Leonard and Gregorowski were engaged by the heirs, on whose behalf they represented that, if the Supreme Court did not order the land to be transferred to the names of the heirs, they should at least pass orders for the registration of the 21-year lease and allow meanwhile the original deed to remain in the name of the late Mr. Abubaker. Mr. Leonard advanced strong arguments and the judges expressed much sympathy, but regretted that they were helpless to do justice by the heirs. The judges admitted that the Act of 1885 itself was very bad, and if they wanted justice in spite of that law, they could get it only from Parliament. In view of this judgment, the only remedy left to the heirs to save the land for the time being was to get it transferred to some white person and themselves retain physical possession. This step they have taken and their enjoyment of the property will not therefore be hampered in any way. However, the fact that, according to the judgment of the Supreme Court, the land cannot be transferred to the heirs' names is bound to make them feel oppressed. The only thing that remains to be done is to carry on a political struggle through Parliament. We know that they will do so. The judgment in this case makes it quite clear that even the judges admit that the Act of 1885 is oppressive. Sir Henry Cotton has asked a

question about this in the Imperial Parliament. We shall await the outcome.

[From Gujarati]

Indian Opinion, 7-4-1906

287. *JOHANNESBURG LETTER*

April 7, 1906

Permits

Permit difficulties are increasing and people get no relief. The applications of refugees lie unattended to. Regulations go on changing continuously. Now fuel has been added to the fire. Mr. Suliman Manga, who is a relative of Mr. Ismail Manga, the well-known merchant of Delagoa Bay and is reading for the bar in England, came here recently to visit his relatives. He got down at Durban, and wanted to proceed to Delagoa Bay *via* the Transvaal. Mr. Gandhi applied for a temporary permit on his behalf, but the Colonial Secretary refused it. Mr. Manga waited for a few days at Durban, and then proceeded to Delagoa Bay by sea. From there, he applied again, [this time] himself, but got a reply in the negative. So far, the matter was dealt with on the assumption that Mr. Manga was a British subject. Mr. Manga, who came seized with the British spirit [of freedom], was not the sort of person who would sit back. Taking advantage of the fact that he was born at Daman[1] and was therefore a Portuguese subject, he approached the Secretary to the Government in Delagoa Bay and applied for a permit. Thereupon the Secretary immediately wrote to the British Consul, who issued the necessary permit without delay. This shows that, had Mr. Manga been a British subject, he could not have set foot on the golden land of the Transvaal; but he could do so at once by virtue of his being a Portuguese subject.

Mr. Manga spent a day at Johannesburg and has returned to Delagoa Bay. The Association[2] has written to the Government about this anomaly. It has written also to Lord Selborne, who, while acknowledging receipt of the letter, says that he is inquiring into the matter. Mr. Gandhi has also written a letter to the *Transvaal Leader*.[3] It is possible that the gross injustice done in Mr. Suliman Manga's case may open the eyes of the indolent British Government. When a permit was refused to Mr. Nomura, a Japanese subject, a wave of excitement passed over the whole of the Transvaal.[4] But is there none to care for a British subject in a similar plight?

1 Portuguese possession in India

2 British Indian Association

3 *Vide* p. 262.

4 *Vide* "Permit Hardships in the Transvaal", p. 255.

Railway Hardships

Mr. Mahomed Surati, the well-known merchant of Aliwal North[1], was in Johannesburg for two days. He was much inconvenienced during his train journey from Germiston. He was insulted and removed from the first-class compartment, which he was occupying, to another carriage. He was not aware that, in the Transvaal, there were separate carriages for non-whites. Though there was no white passenger in the compartment he was occupying, he was harassed by the guard. He has therefore lodged a complaint with the railway authorities.

A deputation of the British Indian Association met the General Manager of Railways in connection with the prohibition of Indian passengers from travelling by the 8.30 train leaving Pretoria for Johannesburg as also that from Johannesburg to Pretoria. The General Manager suggested that the Indian community would do well not to press the point as the train was reserved for whites only. The General Manager is not, however, in a position legally to justify his point of view. The deputation replied that the Indian community could not possibly go back on their position as the Indians needed the amenity as much as the whites did. The position is likely to become clear in about ten days.

The Tram Case

The Johannesburg tram case has not yet been decided. Our people are not allowed to travel by the trams; hence a fresh test case has been filed. Mr. Coovadia was refused a place in the tram as he was about to board one. He has therefore again made an affidavit, and the date for the hearing of the case will be fixed in a couple of days.

Filth in the Location

This week Dr. Porter and his company came down upon the Indians residing in the Malay Location. Many of them were arrested as there was much overcrowding. In this matter as well as in keeping the house, compound and latrines clean, our people are very negligent. The consequences have to be borne by the whole community. Our troubles will not end so long as we do not make lasting improvements in these matters. And if meanwhile plague or other epidemics or infectious diseases should break out, we will have to put up with endless trouble. It would appear that our people have forgotten the experience of the plague in 1904.[2]

The Enthusiasm of the Whites

In a very short time, 35,000 signatures have been obtained, and many more are being collected for the petition of the whites addressed to the King-Emperor on the proposed constitution. We should become affected

[1] Town situated on the Orange River

[2] *Vide* Vol. IV, pp. 149, 175-6 and 361-4.

by this new enthusiasm that is abroad. We would enjoy a different status in this country if we are infected with this enthusiasm rather than the spirit of discord.

[From Gujarati]

Indian Opinion, 14-4-1906

288. EXTRACTS FROM LETTER TO DADABHAI NAOROJI[1]

[JOHANNESBURG,
April 10, 1906]

[The prohibitive fees for certificates and passes that are granted under the Immigration Restriction Act are] a totally unjust imposition for which there is not the slightest justification.... Another serious blow to the Indian community in South Africa has been given in the Transvaal.

Colonial Office Records : C.O. 417, Vol. 434 Ind.

289. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
April 10, 1906

MY DEAR CHHAGANLAL,

I return Hoosen Khan's letter. It will be dealt with in the English columns. You may say in the Gujarati columns that the matter is being dealt with in the English columns.

I half expect a letter from you to-morrow. I may leave by the Friday morning train.

I am still discussing the situation with Mr. Kitchin. He may rejoin.

I hope Maganlal is now much better.

Yours sincerely,
M. K. GANDHI

1 Enclosure

C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original : S.N. 4349

[1] Gandhiji's own letter to Dadabhai is not available. This item is an extract from Dadabhai's letter to the Colonial Secretary where he quotes Gandhiji ("my correspondent"). This letter refers to the *Indian Opinion* of 10-3-1906 and was sent along with the issue dated 17-3-1906.

290. LETTER TO CHHAGANLAL GANDHI

21-24 Court Chambers,
Corner Rissik & Anderson Streets,
P. O. Box 6522,
Johannesburg,
April 11, 1906

MY DEAR CHHAGANLAL,

I have your letter. I am not saying anything much. I leave by the Friday morning train that will bring me there[1] Saturday afternoon and I will take the train for Phœnix that leaves just after the arrival of the Johannesburg train.

I am afraid you have not yet understood the question put to you regarding the rate for advertisements. You should remind me when I reach there and I will explain the position to you. Meanwhile, I would like you to put down your thoughts in writing, all that you may have to say and all that you may have to suggest. Do not be afraid of being misunderstood because I shall be able to ask you questions on everything you may write and you will be able to explain. I would also ask you to put down your thoughts independently of consultation with anybody else and I propose to ask everybody to do likewise. Please pass this on to Maganlal so that he may too, if he is strong enough, put down everything that occurs to him fully in writing, and in any case put down your questions also to be put to me.

I do not propose to telegraph unless my plans are altered.

Yours sincerely,
M. K. Gandhi

C. K. Gandhi, Esq.
Phœnix

From a photostat of the original : S.N. 4348

[1] Durban

291. LETTER TO WILLIAM WEDDERBURN[1]

BRITISH INDIAN ASSOCIATION

25 & 26 COURT CHAMBERS,
RISSIK STREET,
JOHANNESBURG,
April 12, 1906

SIR WILLIAM WEDDERBURN
PALACE CHAMBERS
LONDON

SIR,

The position in the Transvaal of British Indians is getting day by day more insecure and harassing. I need only recapitulate what is happening and appeal for active work.

Whilst it is true that the Home Government will be slow to interfere with the Crown Colony of the Transvaal, I take it there must be a limit to this policy of non-intervention. There is a Peace Preservation Ordinance in the Transvaal under which the immigration of British Indians is restricted in a most high-handed manner.

(a) The Ordinance was intended to preserve the peace [and], therefore, to keep out rebels and others who were ill disposed towards the British Government, but it is today being, in fact, solely used to restrict British Indian immigration.

(b) The British Indian Association has accepted the position that non-refugee British Indians who do not possess educational attainments may be kept out.

(c) As a matter of fact, even refugees who were in the Colony before the war and who had paid £3 as a price for permission to reside in the Colony are now being prevented from entering, except under most difficult circumstances.

(d) Such men have to wait in the coast towns for months before the permit officer would issue them a permit.

(e) A most vexing examination is carried on and then they are called upon to put their thumb-impressions and to undergo other unnecessary severities before they get a permit to enter the country.

(f) Their wives, too, are often required to produce documents before they are allowed to enter the Transvaal.

(g) Their children over eleven years are totally prevented from accompanying them.

[1] This seems to be a circular letter. A copy of it was sent to Dadabhai Naoroji who, omitting the last paragraph, forwarded it in the form of a statement to the Secretary of State for the Colonies on May 8, 1906.

(h) Children under twelve of such refugees are made to take out permits before they can come. Just recently, a boy under six years was torn away from his father and detained at Volksrust because he did not hold a separate permit, in spite of the fact that the registration certificate of the father mentioned that he had two boys.

(i) Only three months ago, boys under sixteen, if they had their parents, or if their parents were dead and they were with their guardians in the Transvaal domiciled, were free to enter the Transvaal. Now, as mentioned above, all of a sudden a new regulation has been sprung upon the Indian community and boys who are under twelve only are allowed to enter. The result is that many boys under sixteen who have arrived in South Africa after considerable expense have, instead of joining their parents who are domiciled in the Transvaal, to return to India.

(j) About three months ago, temporary permits for Indians, who wished to pass through the Transvaal on their way to other parts of South Africa or intended to do some business, were granted fairly freely; now such permits are issued after the greatest scrutiny. Mr. Suliman Manga,[1] the son of a well-known Indian merchant of Delagoa Bay, who is studying at present in England for the Bar, recently returned from England to pay a visit to his relatives in Delagoa Bay. He landed at Durban, applied for a permit to enable him to pass through the Transvaal on his way to Delagoa Bay and the permit was refused. His case was considered as if he was a British Indian. He went to Delagoa Bay, therefore, by sea. There he attempted again through the Transvaal Government to receive a temporary permit as he intended to see Pretoria and Johannesburg but his application was refused. He, therefore, thought that he, having been born in Portuguese India, should approach the Portuguese Government. He did so and a permit was immediately issued to him. It comes, therefore, to this that a British Indian, no matter what his status may be, cannot even pass through the Transvaal and have safe conduct, but if an Indian belongs to a foreign power, he gets a permit for the asking.

(k) From the above, it follows that Indians of attainments are unable to get a permit to settle in the Transvaal, that is to say, the Peace Preservation Ordinance is so administered that, whereas before war any Indian was free to enter the Transvaal, now an Indian who can enter by reason of his being able to pass the educational test of the self-governing Colony of the Cape or Natal is debarred from entering the Crown Colony of the Transvaal. Here, there is no question of the British Government having inherited pre-war legislation, but it is a question of deliberate[ly] pressing into service an ordinance passed just after martial law and which ordinance had no connection with British Indians.

[1] *Vide* also "The Transvaal Permit Ordinance", pp. 278-9.

Under Law 3 of 1885, the British Indian heirs of the late Mr. Aboobaker Amod, one of the Indian pioneer settlers of South Africa, have been prevented from having the property left to them registered in their names.[1] Such is the working of the law regarding ownership of and by Indians. It should be noticed that Natives of the Transvaal, as is quite proper, are free to own landed property anywhere they choose. The Cape Coloured people are also free to hold immovable property in the Transvaal. The ban is placed only upon Asiatics.

Before war, Indians were not debarred from making use of any train service in the Transvaal. Now the Railway Board has issued notices to the station masters not to issue tickets to British Indians and Coloured people for an express train service between Pretoria and Johannesburg,[2] thus causing serious inconvenience to Indian businessmen. It is highly probable that relief will be ultimately granted, but this notice shows which way the tendency of the Government lies.

In Johannesburg, as in Pretoria, British Indians and Coloured people are unable to make use of the municipal tram cars.[3]

In Natal, the position is briefly as follows: The Dealers' Licenses Act causes the greatest amount of mischief. A Mr. Dada Osman, a British Indian merchant of very long standing, had his store in Vryheid before war when it was part of the Transvaal, [and] he traded there unfettered. When Vryheid was incorporated with Natal, the anti-Asiatic laws were also taken over, so that in Vryheid there is Law 3 of 1885 in force as also the Natal Dealers' Licenses Act. Acting thereunder, Mr. Dada Osman's licence has been taken away from him and his Vryheid business has been totally ruined.[4] Another case of equally severe hardship has happened in the Ladysmith district. There, one Cassim Mahomed has been trading on a farm for some time. Last year, his servant committed a breach of Sunday Trading Law. He sold a piece of soap and sugar to traps who were sent by an adjoining storekeeper. The owner himself, it was proved, was absent. This year, because of this offence, his licence has not been renewed.[5] The Appellate Board upheld the decision of the Licensing Officer, saying he acted on the principle they had laid down in a case about a white man. This, however, is not true. The white man in question was known to have allowed his sub-tenants to traffic in liquor sold to Natives and was convicted of selling opium on his premises. No contravention of law was made in comparison with the studied breach of regulations of the above description by the white man and the technical breach of Sunday Trading Law [*sic*].

1 *Vide* "Legalized Robbery", pp. 231-2.
2 *Vide* "Letter to Acting Chief Traffic Manager", pp. 190-1.
3 *Vide* "Letter to Town Clerk", pp. 186-7.
4 *Vide* "Petition to Lord Elgin", pp. 246-8.
5 *Vide* "A Hard Case", pp. 277-8.

The third case is that of Mr. Hoondamal, to whom a transfer of his licence from one place to another in Durban was refused.[1] These three are only illustrations showing what has been done under the Dealers' Licenses Act in scores of cases. Mr. Chamberlain made representations to the Natal Government in connection with the hardship under the law. The result was that the Natal Government issued instructions that the law was not to be rigorously enforced, otherwise it would be altered. It is not possible to give cases of greater hardship than those quoted above. All that is claimed by British Indians is that the jurisdiction of the Supreme Court over the decisions of the Licensing Officers and the Licensing Boards, which consist mainly of traders, should be restored.

Under the Immigration Restriction Act, rules have been now framed whereby a fee of £1 is imposed for the issue of a domicile certificate to each domiciled Indian who is entitled to it as a matter of right. A similar fee is imposed for visitors' passes,[2] that is, for Indians who want to pay a visit to Natal as also for embarkation passes, that is, for authority for Indians to pass through Natal to catch a steamer for India. This is an indirect method of taxation and causes very much inconvenience and loss to poor Indians.

I venture to think that these matters should be placed continually before the Colonial and Indian Secretaries by the Indian Parliamentary Committee.

I beg to remain,
Yours faithfully,
M. K. GANDHI

From the original typescript signed by Gandhiji. Courtesy: Servants of India Society

292. LETTER TO CHHAGANLAL GANDHI

[JOHANNESBURG,
April 13, 1906][3]

CHI. CHHAGANLAL,

I am sending you herewith some Gujarati matter together with advertisements, etc. Please ask Mr. West to see that all the advertisements appear in this very issue, as far as possible.

Let the advertisement of Garlic Hentz be of the same size as the one given earlier for Carmen. Bear in mind what I have written on his advertisement. Give six inches to Jivanji. There is nothing to be said about the others.

1 *Vide* Vol. IV, pp. 357-9.

2 *Vide* "Letter to Colonial Secretary", pp. 220-1.

3 The date April 23, 1906, given in the original, seems to be an error, as the advertisement of Garlic Hentz mentioned therein appeared in *Indian Opinion* dated 21-4-1906. The letter must have been written about a week earlier, possibly on Friday, April 13, the day Gandhiji was to leave for Phœnix. *Vide* "Letter to Chhaganlal Gandhi", p. 271.

I shall bring Mr. Harilal Thakar with me. I shall leave by the last evening train.

Blessings from
MOHANDAS

[PS.]

Please attend to the needs and comforts of Suliman. I shall be able to give the rest of the Gujarati material only after I come there. There is no alternative.

From a photostat of the original Gujarati in Gandhiji's hand : S.N. 4353

293. A HARD CASE

We gave last week a *resume* of a licensing appeal case heard in Ladysmith on the 30th March last. An Indian trader has been trading within Klip River Division on a farm called Wittekleifontein for the last three years. Latterly, a European firm, by name Burdett & Co., has opened a store near his. The firm has amongst its partners, so it would appear from a report in *The Natal Witness*, Sergeant Batterberg, who is the Prosecutor for the Division. During his absence, the Indian trader's store-assistant was trapped by the police and convicted of Sunday trading. He sold a bit of soap and some sugar. The store-keeper, on his return, finding that his assistant had been guilty of trading on Sunday, dismissed him. When the time came for renewal, Messrs Burdett & Co. lodged their objection with the Licensing Officer against the Indian store-keeper's getting a renewal of his licence, on the ground that he had committed a breach of the Sunday law. The Licensing Officer upheld this objection, and the licence was refused. Against this decision, the poor Indian store-keeper appealed to the Licensing Board, but in spite of the eloquent defence of his counsel, the appeal was dismissed, and the Board, in giving judgment, said that they did so because of a breach by the store-keeper's assistant of the Sunday regulations, and they supported their decision by quoting a similar case where they [had] refused the application for a licence made by a European.[1] We think, however, that the European case quoted by the Board could have no bearing on the present case, as some of the ingredients were wanting. Here, the Indian store-keeper himself has not committed the crime. He repaired the mischief in the only manner that was possible for him, and, after all, it is patent to any layman that the whole of the objection has been raised by a rival firm of store-keepers who are interested in removing the Indian store-keeper. The fact, too, that the firm contains, as its partner, the Public Prosecutor in Ladysmith, who conducted the prosecution against the Indian's store-man, is not without serious significance. It is indeed a pity that the Board did not allow the objection raised by the appellant's counsel that Burdett & Co. had no *locus standi* before the Board, and we cannot help thinking

[1] *Vide* p. 283.

that the Board have, by their decision, encouraged opposition of the kind raised in the case in question. The deprivation of a licence is altogether a disproportionate penalty imposed on a man for a breach of a statutory provision by his servant, who had already been punished for the same offence. But this case merely illustrates how unjust and oppressive the Dealers' Licenses Act of Natal is. The Ladysmith case supports the argument advanced in Dada Osman's petition[1]. Unless the right of appeal to the Supreme Court is restored, there is no possibility of any justice being done under the Dealers' Licenses Act.

Indian Opinion, 14-4-1906

294. THE TRANSVAAL PERMIT ORDINANCE

The Peace Preservation Ordinance, passed at a time when, as its name implies, peace within the Transvaal borders was in danger, has hung over the heads of British Indians like Damocles' sword, ready to descend upon them at any moment. The latest instance is brought to our readers' notice by our Transvaal correspondent.[2] It appears that Mr. Suliman Manga, the son of a very well-known Indian in Delagoa Bay, has been studying for the Bar for some years in England, and has been admitted as a member of the Middle Temple. He has just arrived from England to pay a visit to his relatives in Delagoa Bay. On his landing at Durban, he intended to pass through the Transvaal on his way to Delagoa Bay. He instructed a solicitor in Johannesburg to apply for his permit. The solicitor, Mr. Gandhi, seems to have assumed that he was a British Indian, and proceeded with the application. After a few days' delay, he received a reply saying that his client could not be granted a temporary permit. He then applied to the Colonial Secretary and received the same answer. No reasons were given for the refusal. Mr. Manga then took a steamer to Delagoa Bay. Young, enthusiastic, and freshly returned from England, he could not brook rejection of his application. During his brief stay, he wanted to see the capital of the Transvaal, and the centre of the gold-mining activity. He, therefore, again applied to the port Protector of Asiatics, who could only confirm the reply given to his solicitor. Mr. Manga, being in fact a Portuguese subject, then appealed to his own Government, who soon procured relief for their subject, and Mr. Manga entered the Transvaal on a temporary permit granted to him by His Majesty's British Consul-General.

This is an instance of a most glaring abuse of arbitrary powers vested in the hands of the Government. We may here recall the parallel case of Mr. Nomura, a Japanese subject. This gentleman, in order to dispose of his wares in the Transvaal, applied for a temporary permit, which

[1] *Vide* "Petition to Lord Elgin", pp. 246-8.

[2] *Vide* p. 262.

the Chief Secretary for Permits declined to grant. He evidently reasoned to himself that, if a British subject could not get similar facilities, he could not grant it to Mr. Nomura.[1] The case was publicly discussed, and the *Transvaal Leader* offered a public apology to Mr. Nomura. The High Commissioner immediately ordered the Chief Secretary for Permits to issue a permit to Mr. Nomura, and it was delivered to him personally at his residence in Durban.

Mr. Manga's case is much stronger than Mr. Nomura's. As it was first put before the Colonial Secretary, it was a case of a British subject and a student asking for permission merely to pass through the Transvaal. He had no business to transact in the Colony, and, therefore, he could not come into competition with anybody. We question whether the most rabid member of the anti-Asiatic Convention could ever have contemplated rejection of an application like Mr. Manga's, and yet so long as Mr. Manga was considered as a British subject, and so long as there was no intervention on the part of any foreign government, his case was not considered worthy of attention by the Transvaal Government.

So soon, however, as it is known that Mr. Manga happens to be a Portuguese subject, he gets a permit. The net result of this case is that, at the hands of the present Government in the Transvaal, there is to be no justice for British Indians. The latter may be insulted, they may be put to all kinds of inconvenience, their applications may be summarily rejected, they may not be given reasons for arbitrary decisions of the Government, even though *bona-fide* refugees, it may take months before their claims can be considered for re-entry into the Transvaal, their very means of livelihood may be allowed to depend on the absolute discretion of the Government. Yet we have Lord Selborne's assurance that it is not his desire that Indians should be treated in a harsh manner, or that regulations under the Peace Preservation Ordinance should in any way be unreasonable.[2] The community has every right, therefore, to appeal to Lord Selborne for some measure of justice being meted out to it.

Indian Opinion, 14-4-1906

295. A LICENSING PETITION

Our readers will recall the facts in connection with the licence of a British Indian in Vryheid. Mr. Dada Osman, the Indian merchant concerned, having failed to obtain the justice to which he was entitled, owing to the state of the Dealers' Licenses Act, has now approached His Majesty's Principal Secretary of State for the Colonies,[3] and has forwarded to us a copy of the petition for review. The petition is a colourless

[1] *Vide* p. 224.

[2] *Vide* "Transvaal Indians and Permits", pp. 192-3.

[3] *Vide* "Petition to Lord Elgin", pp. 246-8.

statement of facts, but it shows most clearly that underlying it is the general question as to the operation of the Dealers' Licenses Act. Unless it is erased from the Statute-book of the Colony, there will be no rest for British Indian traders. It is not fair to them, and it is less fair to the licensing officers, that arbitrary powers should be placed in the latter's hands. We do not ask for indiscriminate trading rights, but we do contend that every trading application should be treated on its merits, and where no reasons, save those of prejudice, can be adduced against such application, it should be granted. The case before us is aggravated, because the petitioner labours under a double-barrelled disability, for, in Vryheid, he, being a British Indian, labours under all the disabilities of the Natal laws, without getting any of the advantages, as Law 3 of 1885 of the Transvaal has also been retained, in spite of the incorporation of Vryheid with Natal. The condition is as anomalous as it possibly could be, and it is to be hoped that Lord Elgin will secure substantial justice for his petitioner.

The question of interference with the domestic affairs of the Colony will naturally be raised. The principle of non-interference can hardly stand, in the case of those who are totally unrepresented in a Colony governed under representative institutions. Natal enjoys self-government, on the tacit assumption that it is capable of governing itself. There is little self-government exercised, when one class of subjects living in the Colony are meted out scant justice. Self-government means self-control; if privileges are granted, responsibilities must be assumed also, and if these privileges are enjoyed to the fullest extent, without discharge of the responsibilities, the power that gave them surely has the right to see to it that those responsibilities are properly discharged.

Indian Opinion, 14-4-1906

296. A LICENSING CIRCULAR

A Gujarati correspondent draws our attention to some rules said to have been framed by the Government for the guidance of traders' licenses officers. The latter are, so our correspondent states, instructed henceforth, in issuing licenses to Indians, to take their finger-prints and signatures on counterfoils of the licences granted. This, we understand, has been done in order to establish identity. If our information be correct, the preliminary question that occurs to us is, why have Indians alone been singled out for this further disability? Where is the occasion for establishing identity? Does it mean that the Natal Government do not desire that the Indian businesses may be continued after the withdrawal of their present owners? Do they, in other words, mean to convey to the Licensing Officers that Indian businesses are to become extinct with their owners? If so, it means that, sooner or later, every Indian must be compelled to sell off, instead of disposing of his business as a

going concern. And why should the Government interfere with the administration of the law in such a one-sided manner? If the Licensing Officers are to exercise their own discretion, unfettered by any considerations save those of justice, how can the Government restrict their discretion [by] issuing circulars such as the one we are now considering? The position under the Licensing Law is becoming more and more unbearable, and unless some relief can be granted by the Home Government, it is merely a question of time as to when British Indian traders in Natal will have to close their businesses entirely.

Indian Opinion, 14-4-1906

297. THE NATAL REBELLION

The twelve Kaffirs sentenced to capital punishment have been shot dead.[1] The Colonists of Natal are pleased. Mr. Smythe's prestige has been vindicated. The Imperial Government have had to climb down. Mr. Churchill made a very good speech in this connection. He showed that the Imperial Government were entitled to an explanation from Natal. For, if the Kaffirs did not remain under proper control, the Imperial Government were bound to send an expeditionary force. Incidents that followed, like Mr. Smythe's resignation, are to be ascribed solely to the speeches made by Mr. Chamberlain's partisans and to the fact that all the newspapers in South Africa are controlled by that party. Mr. Churchill pointed out that, if Mr. Smythe's act should become a precedent, the good feeling between England and the Colonies would not endure.

While Mr. Churchill was speaking thus, the third chapter of this woeful tale was being written. Though twelve Kaffirs were put to death, the rebellion, instead of being quelled, has gathered strength. Bambata, the Kaffir Chief, was deposed and another installed in his place, because the behaviour of the former was not satisfactory. Seizing the right opportunity, Bambata kidnapped the new Chief and rose in revolt. And the disturbance continues in Grey Town. The region in which Bambata is operating as an outlaw is in difficult terrain full of bushes and trees, where the Kaffirs can remain in hiding for long periods. To find them out and force a fight is a difficult job.

The small party of soldiers that was on Bambata's trail included the Englishmen who had shot the twelve Kaffirs. Bambata and his men encircled the party and, though they fought very bravely, the soldiers were defeated in the end and managed to escape with great difficulty. Some of them were killed. The dead included those who had shot the twelve Kaffirs. Such is the law of God. The executioners met their death within two days.

[1] *Vide* "Political Turmoil in Natal", pp. 266-7.

At the time of writing, Bambata is at large. Meanwhile, his followers go on increasing. There is no knowing how all this will end.

What is our duty during these calamitous times in the Colony? It is not for us to say whether the revolt of the Kaffirs is justified or not. We are in Natal by virtue of British power. Our very existence depends upon it. It is therefore our duty to render whatever help we can. There was a discussion in the Press as to what part the Indian community would play in the event of an actual war. We have already declared in the English columns of this journal that the Indian community is ready to play its part;[1] and we believe what we did during the Boer War should also be done now. That is, if the Government so desires, we should raise an ambulance corps. We should also agree to become permanent volunteers, if the Government is prepared to give us the requisite training.

Such a step would be considered proper, even if we viewed it from the standpoint of our own interests. The case of the twelve Kaffirs shows us that whatever justice we may seek is to be had ultimately from the local Government. The first step in trying to get it is to do our own duty. The common people in this country keep themselves in readiness for war. We, too, should contribute our share.

[From Gujarati]

Indian Opinion, 14-4-1906

298. A THREAT TO HAWKERS

The Durban Town Council has passed a resolution calling upon the Licensing Officer not to issue fresh licences to hawkers, and to reduce, as far as practicable, the number of licences already in force, because shop-keepers are adversely affected by the hawkers' trade. Hitherto the Town Council issued confidential instructions to the Licensing Officer; now it has openly told him what to do. This means that the Town Council arrogates to itself the functions of both the lower and the appellate courts.

Moreover, this order means that, no matter what inconveniences the people may have to suffer, the interests of the shopkeepers must be safeguarded. Some relief can be had only if a very strong struggle is put up against such a regulation.

[From Gujarati]

Indian Opinion, 14-4-1906

[1] *Vide* "Indian Volunteering", pp. 251-2.

299. THE LADYSMITH LICENSING BOARD

We have already dealt with what has appeared to us to be a case of very great injustice done to an inoffensive Indian trader.[1] We have since been placed in possession of fuller information regarding the case of Mackillican referred to by the appellate court in support of its decision. We have a true copy of the original record of that case placed before us. From it we find that the reasons for refusing to renew the licence of Mackillican were overwhelmingly strong. They are:

> 1. Because a native man and woman were convicted on the 19th October, 1903, for selling liquor without a licence in a shed—a building on applicant's premises which were only licensed as a retail store. No less than three large casks of beer were found in the shed. The applicant must have been cognisant of the carrying on of this illicit traffic.
> 2. Because the applicant was convicted on the 15th day of January, 1904 of selling opium at the same premises on the 7th day of November, 1903; this trade had been carried on for some time causing severe mental depression and other injuries to the Indians at the Elandslaagte mine, besides being a constant cause of worry to the Manager, till he found out the source of the evil that was being wrought on his servants.

Thus, the applicant was indirectly guilty of poisoning Natives with liquor sold illicitly and of stupefying Indian miners by selling them opium in contravention of the law. In each case, the fault was the applicant's own. It is a prostitution of terms to compare this case with the Indian case and use it as a precedent for depriving the latter of his licence. It would have been more dignified and more honest on the part of the Board to have taken its stand on the true ground for refusal—that is, of colour.

We have been placed in possession, too, of some of the certificates produced by the applicant in support of his application. One of the principal merchants of Durban, writing to the Licensing Officer, states: "We consider him to be a very respectable, reliable, and straightforward Indian, and quite fitted to hold a licence in your district." Thus, while the personal character of Mackillican undoubtedly unfitted him to hold a trading licence, that of the Indian is irreproachable. What has happened to the poor Indian in Ladysmith is probably not an uncommon experience for Indians in Natal. We trust, therefore, that the Natal Indian Congress, which is ever watchful of the interests of the Indian community, will not fail to bring the matter to the notice of the Government and secure justice.

Indian Opinion, 21-4-1906

[1] *Vide* "A Hard Case", pp. 277-8.

300. TRANSVAAL PERMITS

We reproduce elsewhere the remarks of our contemporary, *The Rand Daily Mail*, on the Manga case to which we have drawn attention in these columns.[1] Our contemporary's remarks are strong, but thoroughly deserved. We congratulate the writer on the courage of his convictions.

Our correspondent at Johannesburg mentions another case in his "Jottings", which points to a state of affairs which, if continued, bids fair to make it impossible for even British Indian refugees to get redress. Our correspondent refers to the case of a British Indian refugee of position having been refused his permit, in spite of the fact that the applicant produced evidence of respectable Europeans to prove previous residence. This is the first case, so far as we are aware, of a refugee having been definitely refused permission to re-enter. What is more aggravating still is the fact that the Russian method of secrecy has lately been adopted regarding the administration of the Permit Ordinance, so far as Indians are concerned. Our correspondent states that, as in the case of Mr. Manga, so in this, the Permit Officer has declined to give the reasons for his refusal. So that, henceforth, British Indians will be kept out of the Transvaal without their being informed why.

Nor is this all. A correspondent in the Gujarati columns invites our attention to a case where a six-year-old infant was torn away from his parent at Volksrust, because the infant held no permit! We understand that the unfortunate father's registration contained a reference to his having two boys.

We beg to draw Lord Selborne's attention to the seriousness of the Indian position. It is high time that His Excellency's words were translated into deeds. We yield to no one in our desire to respect reasonable prejudice. We have, therefore, approved of the desirability of regulating the immigration of Asiatics who have not previously resided in the Transvaal. But the way in which the authorities at Pretoria are going about to please the anti-Asiatic party means a totally different proposition. And they are much mistaken if they think that Indians will allow vested rights to be trampled under foot without at any rate a serious effort to obtain redress.

Indian Opinion, 21-4-1906

[1] *Vide* "The Transvaal Permit Ordinance", pp. 278-9.

301. THE DURBAN TOWN COUNCIL AND INDIANS

The Licensing Committee of the Durban Town Council has, *The Natal Mercury* reports, "expressed the wish that the Licensing Officers grant no new hawkers' licences, and curtail as much as possible existing hawkers' licences, since traders of this class interfere with the legitimate trade of shopkeepers". This recommendation of the Licensing Committee is the aftermath of decisions on the Dealers' Licenses Act. The judgment in the case of Dada Osman,[1] and other judgments in cases arising out of that Act, have emboldened the town councils in their policy of repression. From half-concealed suggestions to Licensing Officers, they have now proceeded to open instructions to them. It will, therefore, be a question of the town councils instructing their officers to give a judgment on licensing applications, and then sitting in appeal on what will be after all their own judgments. They will thus reduce the Licenses Act to a mere farce. Moreover, the instructions we have referred to above show clearly that, in administering the Dealers' Licenses Act, attention is paid, not to the general community, but to the store-keepers alone. As their trade is likely to be interfered with, no new hawkers' licences are to be issued, and existing licences are to be curtailed. That they supply a want, and that they are a boon to the householders who receive what they want at their doors is of no consequence to the town councils, so long as a privileged class can be raised up. Exception may be taken to our argument in that the instructions of the Licensing Committee are general, but so is our argument. It applies both to hawkers who are Europeans and those who are Indians, but as a matter of fact, the brunt of such a policy will have to be borne mainly by Indians, as hawking is their speciality, and most of the hawkers in Durban are Indians. We are, nevertheless, inclined to welcome these excesses in the administration of the law, because they will bring in their trail their own doom.

Indian Opinion, 21-4-1906

302. TRAVELLING DIFFICULTY ON THE C. S. A. R.

A correspondent writes to us from Klerksdorp, in the Gujarati columns, recounting the difficulties that the Indian passengers have to undergo on the trains between Klerksdorp and Johannesburg. Our correspondent complains that Indian passengers, no matter to what class they may belong, are not allowed a seat on the trains unless they have compartments attached to them having the labels "coloured" or "reserved". Our correspondent adds that, as a result of the action of the authorities,

[1] *Vide* "Petition to Lord Elgin", pp. 246-8.

very few Indian passengers travel with any degree of comfort. All the trains do not have the labels, and if, therefore, an Indian passenger misses a particular train and wishes to take another having no reserved seats, he very often cannot do so. The only condition, our correspondent urges, of travelling by such a train is that the passengers have to remain standing in the corridor the whole of the time. This is no small matter, as the journey occupies over eight hours. If what our correspondent complains [of] be true, it is evident that the comfort of the Coloured travellers does not receive sufficient consideration.

Indian Opinion, 21-4-1906

303. VESUVIUS

Vesuvius in Italy is active and emitting lava; this is a reminder to us of Nature's power and a warning not to take life for granted even for a moment. The recent accident in the Courier mines in France where many men were buried alive also brought home the same truth to us. In the latter case, one could find fault with the engineers and persuade oneself that the men would not have lost their lives if certain precautions had been taken. The same thing cannot, however, be said of the volcanic eruption. We do not want to expatiate further on this subject. It is futile to hope that men who have come all the way from far-away India can fully realise the significance of this line of thought; but we want particularly to draw the readers' attention to the courage shown by a scientist while the volcano was still active. In the vicinity of the volcano, there is a meteorological station where Professor Metusi lives. The station is in great danger of being destroyed any moment by the lava from the volcano. However, Professor Metusi has not abandoned his post and keeps sending information to Naples about the volcano. It is a matter of no ordinary courage thus to stay amidst danger. No one has forced him to stay at the danger spot. Nothing can be said in his reproach if, like thousands of other men, he leaves the place to save his life. Yet he has refused to leave. When many Indians too of this calibre are born in India or South Africa, we shall cease to suffer as at present.

[From Gujarati]

Indian Opinion, 21-4-1906

304. INDIAN DEPUTATION TO ENGLAND

Last week we published the resolution passed by the Natal Indian Congress. It is highly creditable to the Congress officials that the Congress Hall was fully packed and people showed great enthusiasm. At present, a new Liberal Ministry is in power [in the United Kingdom], and it is eminently desirable that we go and place before it an account

of our grievances. But we feel that the deputation had better leave after the visit of the Commission that is due to come. Moreover, if a deputation is to go, we strongly feel that it should be composed of at least three members so that it will carry weight with and be listened to by the Cabinet. Such tasks, however, cannot be accomplished without money. Help from many quarters will be needed and money has to be spent generously. Something can be achieved only if Indians from all over South Africa lend a helping hand.

[From Gujarati]

Indian Opinion, 21-4-1906

305. INSTRUCTIONS TO INDIANS COMING TO NATAL BY STEAMER

We often find that Indian passengers entitled to land at Durban are greatly discommoded while doing so. In order that some at any rate of these difficulties may be avoided, we make the following suggestions.

There should be no difficulty at all about the entry of the wife whose husband is according to law a resident of Natal; but the Immigration Officer allows a woman to land only after she has produced legal proof of her marriage to a resident. Hence the man should make an affidavit and get it endorsed by the Immigration Officer in advance. This will enable his wife to disembark soon after the steamer arrives.

The same procedure should be followed in the case of children. The father making the affidavit should remember that the son or the daughter must be under sixteen years of age. It is not enough that the parent swears an affidavit that the age of his son or daughter is below sixteen. For it is up to the Immigration Officer to accept or reject the statement about age. A difficulty may therefore arise if the son or daughter appears to be over sixteen, the affidavit notwithstanding. Moreover, if the person is married, he or she, though under sixteen, is not entitled to land by virtue of the title of his or her parents.

If a resident of Natal himself wants to disembark but does not hold a domicile pass, he too has to put up with inconvenience. Strong evidence has to be produced before the officer well in advance. Nevertheless, there is one way by which such a person can land immediately: he should deposit £100 as security and after landing, produce the requisite evidence, or he should take out a £10 visiting pass and then do likewise. If £100 are deposited, one is not required to pay the fee of £1 to the Government. But, according to the new regulation, one has to pay that fee to take out a £10 visiting pass.

[From Gujarati]

Indian Opinion, 21-4-1906

306. JOHANNESBURG LETTER

JOHANNESBURG,
April 21, 1906

DEPUTATION REGARDING MALAY LOCATION

As I promised last week, I give here an account of the deputation that waited upon Sir Richard Solomon[1] concerning the Malay Location.

Mr. Haji Ojer Ali saw Sir Richard and presented the following facts before him.

When land was allotted by the Boer Government to the Malay people, they developed it. On their applying for permission to construct buildings on it, the Government allowed them to do so unconditionally. Consequently many well-built houses of burnt brick have sprung up in the Malay Location. Moreover, the residents have effected lasting improvements in the land, and the population has increased. When the site for the Malay Location was fixed, the white population in the surrounding area was also increasing, but they did not raise any objection at the time. And though the improvement of the land by the residents of the Location has been going on for years, nothing has been done to give them security of tenure. An Ordinance was promulgated last September vesting the ownership of the Location in the Johannesburg Municipality. On the other hand, the Government intends to confer definite rights on the Dutch residents of Vrededorp. Handing over the Malay Location to the Municipality is likely therefore to prejudice the interests of the residents in the Location.

If rights are granted to the Dutch, they should be granted equally to the Stand-holders of the Malay Location, who have always been loyal subjects. If a permanent lease is granted to the people of the Malay Location, it can be safely assumed that they will improve the land further and construct even more elegant buildings.

In reply to this representation, Sir Richard has promised to go into the whole matter fully and write later in detail. He has shown much sympathy, but it appears that the Government is nowadays plentiful in that commodity. Even Mr. Winston Churchill has expressed much sympathy. What the worthy knight will actually do, he alone knows.

The situation regarding permits continues as before. There has been very severe criticism of [the handling of] Mr. Manga's case, in a local paper, *The Rand Daily Mail*. It has two leading articles on the subject. They may have some effect on the Permit Office in course of time.

[From Gujarati]

Indian Opinion, 28-4-1906

[1] Acting Lieutenant-Governor of the Transvaal

307. "INDIAN OPINION"

A meeting of Durban Indians was held at Mr. Omar Haji Amod Zaveri's residence on Monday, to consider the future of Indian Opinion. *Mr. Abdulla Haji Amod Zaveri was in the chair. On being requested to place the position of the journal before the meeting, Gandhiji spoke as follows.*

DURBAN,
April 23, 1906

Indian Opinion has been published for some years now. It was founded by Mr. Madanjit, who struggled hard to make it a success and put his all into it. When the paper was started, the extent of the financial liability was not fully realised. Later on, it was found that much more money was needed to run the paper. The total deficit could not be covered even after the £1,600 received by me as fees in the cases against the Johannesburg Corporation was handed over.[1] Every month there was a deficit of £75, which was beyond my means to meet. We had therefore to think of running the paper on different lines. It was decided to shift the Press to some place outside the city where the workers would lead a very simple life.[2] For this step no responsibility attaches to Mr. Madanjit. He was afraid that the paper would not come out under the proposed arrangement and therefore dissociated himself from it, leaving the responsibility solely to me. However, since Mr. Madanjit had started the paper for selfless reasons and since after his return to India he is still serving the country like a true patriot, his name has been retained as printer and publisher.

The paper has been published for some time past according to this arrangement; but I find that we have reached a stage when, if we do not make special efforts, we shall incur deficits and not have enough to pay even the bare monthly allowance to the workers who take only £3 a month. When I took charge of the paper, the number of subscribers was 887 and the advertisements had greatly decreased. I am confident that I shall somehow continue to bring out the English section, at any rate as long as some of the Press workers hold on. But I have never believed that the Indian community will not accord the venture any support. I, therefore, still hope that the paper will get all the help it needs.

The objects of the journal are threefold: first, to make our grievances known to the Government, to the whites here in South Africa and in England and to people in India; secondly, to tell our people of their own shortcomings and to exhort them to overcome these and,

[1] *Vide Autobiography*, Part IV, Chap. XIII.

[2] The Press was shifted to Phœnix in December, 1904.

thirdly—and this is perhaps the principal object—to eliminate the distinctions as between Hindus and Mahomedans and also those among Gujaratis, Tamilians and Calcuttawallas prevalent here. The British rulers in India, it would appear, follow a different policy. They do not desire that we should come together and become united. Here in South Africa, these groups are small in numbers. We are all confronted with the same disabilities. We are moreover free from certain restrictions from which our people suffer in India. We can therefore easily essay an experiment in achieving unity. It is the aim of this journal to inculcate these ideals in the minds of our people and strengthen the community. It is necessary to secure the assistance of all thoughtful Indians to this end. I believe that many things can be achieved if this journal receives adequate support. I think that those among us who are educated and can afford to pay should subscribe to it. There are at least 20,000 Gujaratis living in South Africa. It would not be too much to expect 25 per cent. of this number to become subscribers. As for educated Indians, it is not enough that they become subscribers themselves. They should try their utmost to help in the fulfilment of the aims of the journal. They can persuade others to do so. The journal is a great instrument of education. It is necessary for every Indian to look upon the journal as belonging to him, not as something mine.

[From Gujarati]

Indian Opinion, 28-4-1906

308. TO YOUNG MUSLIMS

A meeting of the Young Men's Mahomedan Association was held at the Natal Indian Congress Hall, Durban, with Mr. Peeran Mahomed in the chair. Mr. M. C. Anglia made some suggestions regarding the name of the Association and asked Gandhiji for advice on this. He also suggested that the drafting of a constitution for the Association be entrusted to Gandhiji. Speaking on the occasion, Gandhiji said:

DURBAN
April 24, 1906

If the aim of this Association is to spread education, to promote morality and to introduce other reforms in the community, the name "Young Men's Mahomedan Association" would be proper. The Young Men's Christian Association is famous the world over. It has many prominent persons to encourage it. This Association can also work in the same way.

[From Gujarati]

Indian Opinion, 28-4-1906

309. SPEECH AT CONGRESS MEETING

A meeting of the Natal Indian Congress was held in the Congress Hall, Durban to consider the advisability of raising an Indian ambulance corps to help the Government during the Zulu rebellion. Dawad Mahomed, Chairman of the Congress, presided. This speech by Gandhiji is extracted from a press report of the meeting at which others also spoke.

DURBAN,
April 24, 1906

Mr. Gandhi referred to the part that the Indians had taken during the Boer war. He said that the meeting was not concerned with the general question of Indian volunteering. He thought that the Government were neglecting a plain duty to the Colony in not utilizing the defensive force they had at their disposal in the Indian community. Mr. Watt had stated that he would not be defended by an Indian and at the same time said that he would use the Indian for digging trenches. We had the late Mr. Escombe's word for it that the digging of trenches and the nursing of the wounded were just as honourable and necessary as the shouldering of a rifle. But they had nothing to do that evening with Mr. Watt's views. They had to consider whether they should, during the present crisis, offer to the Government their assistance, however humble it might be. It was true they were labouring under disabilities and they were irritated. Opinions, too, may differ as to the cause of the Native revolt. But it was their duty not to be prejudiced by any such thoughts. If they claimed rights of citizenship, they were bound to take their natural share in the responsibilities that such rights carried with them. It was, therefore, their duty to assist in averting the danger that threatened the Colony. The Indians had done good work during the Boer war. It was recognised by General Buller, and the speaker advised that a similar offer should be made to the Government this time also.

Mr. Advocate Gabriel then moved the following resolution:

> This Meeting of British Indians, assembled under the auspices of the Natal Indian Congress, hereby authorises the Chairman to send an offer to the Government, in connection with the Native rising, of the same nature as during the Boer war.

Mr. Lazarus Gabriel asked whether those who might vote for the resolution bound themselves to offer their services. Mr. Gandhi said such was not the meaning of the resolution. But every member who voted for it would be bound to assist in making the movement a success. It was for the members present to form a corps, should the Government be pleased to accept the offer.

Indian Opinion, 28-4-1906

310. LETTER TO COLONIAL SECRETARY

DURBAN,
April 25, 1906

TO
THE HONOURABLE THE COLONIAL SECRETARY
PIETERMARITZBURG

SIR,

At a meeting of British Indians held on the 24th instant at the Congress Hall in Grey Street under the auspices of the Natal Indian Congress, and attended by over two hundred and fifty British Indians, the enclosed resolution proposed by Mr. Bernard Gabriel, Barrister-at-law, and seconded by Mr. Ismail Cora of the firm of Messrs. B. Ebrahim Ismail & Co., was carried unanimously.

I have the honour to draw the attention of the Government that, on the occasion alluded to in the resolution, several British Indians offered their services and they were accepted as leaders of ambulance parties. In the opinion of the Natal Indian Congress, it is possible to raise a similar corps, should it be necessary for the present crisis. The Congress trusts that the Government will be pleased to accept the offer. I may state that at the close of the meeting about forty British Indians handed in their names for ambulance or any such work for which they may be considered fit.

I have the honour to remain,
Sir,
Your most obedient servant,
DAWAD MAHOMED

Indian Opinion, 28-4-1906

311. INTERVIEW TO "THE NATAL MERCURY"

It was decided by a committee appointed by the Natal Indian Congress that a deputation be sent to the Imperial Government to place before them the grievances of British Indians. Gandhiji, Ismail Cora and representatives of the Transvaal and the Cape were to form the deputation. The following is an extract from a report of The Natal Mercury *representative who interviewed Gandhiji.*

[Before *April 26, 1906*]

Mr. Gandhi, on being interviewed on the subject, said that the deputation would probably leave within the next two months. The Transvaal and Cape had not as yet replied. Their intention was to place before the Home Government the grievances of British Indians throughout

South Africa, and to endeavour to obtain reasonable redress. They would also represent the disabilities under which British Indians laboured. No formal programme had been drawn up, but they would remain here until they saw the movements of the Commission[1], which left on the 7th inst. If necessary, he would appear before that Commission.

The Natal Mercury, 26-4-1906

312. AN INDIAN OFFER

The meeting held under the auspices of the Natal Indian Congress the other day is to be congratulated on having passed a resolution offering the services of Indians in connection with the Native revolt.[2] The offer is a complete answer to the many correspondents in the local Press, who have been worrying themselves over the prospect, should the rebellion spread, of having to defend themselves and also Indians in the Colony. Those Indians who packed the Congress Hall last Tuesday evening have shown that they possess the faculty of discrimination in an eminent degree, and that they are capable of forgetting personal grievances when the common good of the body politic, of which they form a part, is concerned. We trust that the Government will see their way to accept the offer, and give the Indian community the chance once more of proving its worth.

But whether the offer is accepted or not, it shows most clearly the importance of the Government turning to good account the Indian willingness to take its share in the defence of the Colony by giving Indians a proper previous training. We have more than once pointed out the criminal folly of not utilizing the admirable material the Indian community offers for additional defensive purposes. If it is not possible to turn the present Indian population out of the Colony, it is surely elementary wisdom to give it an adequate military training. There is an expressive Indian proverb that you cannot start digging a well when a fire breaks out. Nor can you suddenly develop the Indians, however willing and capable they may be, into an efficient corps of even "trench-diggers". Will Mr. Watt and his fellow-ministers wake up to a sense of their duty in the matter?[3]

Indian Opinion, 28-4-1906

[1] Presumably, the Constitution Committee headed by Sir West Ridgeway set up by the British Government to look into, among other things, the question of granting responsible government to the Transvaal. The deputation met the Committee on May 29; *vide* "Statement Presented to Constitution Committee", pp. 335-44.

[2] *Vide* p. 291.

[3] *Vide* "Indian Volunteering", pp. 251-2.

313. THE NATAL SHOPS ACT

Our contemporary, *The Natal Advertiser*, has given prominence to a lengthy contribution from the Secretaries of the Natal Stores Employees' Association on the Shops Act. In it the Secretaries have endeavoured to justify the Act by attempting to show that it has injured Asiatic trade. Whether it has injured that trade or not, we do not propose to discuss. We have accepted the principle underlying the Act. We believe it is right that the opening and the closing hours of shops should be State-regulated. But we cannot help thinking that the actual hours fixed by the statute are inconvenient in every respect. In fixing them, no account has been taken of the public who support the traders. To close the shops on Saturday afternoons is the height of absurdity. But all this is by the way. We believe that the Act will require early amending before it becomes workable.

It is, however, the irresponsible manner in which the responsible officers of the Association have dealt with the Indian traders that appears to us to call for some remarks. The Secretaries state that, before the Act, the Indian traders kept their shops open for 103 hours per week, as against 53 hours after the passing of the Act. There is no authority produced for the sweeping statement. It is inherently incorrect. The 103 hours per week mean 17 hours and ten minutes per day. Now, if we assume that the Indian store-keeper (not requiring, of course, any food and not attending to the toilet) opened his store at 6 a.m., he would not close, in order to have over 17 hours, until after 11.10 p.m. We should be glad to be furnished with the names of Indian traders who kept open during the pre-Act days between 6 a.m. and 11.10 p.m. We have heard of Irish members of the House of Commons tirelessly sitting out whole nights in the House, satisfying their hunger on a bit of kola-nut. But we have not heard of any Indian traders, with their employees, springing out of their beds (if they may be credited with having any) and hastening to their shops at 6 a.m., and standing behind the counter up to 11.10 p.m. We have heard many exaggerated accounts about Indians, but this one from the Natal Stores Employees' Association must certainly take the palm. We are prepared, however, to admit that some Indian store-keepers did keep open longer than they do now, but we are also prepared to show, if proof were needed, that European traders of the same type sinned equally, if not much worse.

Almost on a par with the above exaggeration are the other statements made by the Secretaries. We ask them to study their facts before they rush into print and they will, we assure them, find that the Indian trader is not as vile, after all, as they make him appear.

Indian Opinion, 28-4-1906

314. FINANCIAL POSITION OF THIS JOURNAL

Our readers may feel pleased to see that this journal is growing day by day. In the beginning we used to publish only four pages of Gujarati. Later, we made them five, and, after discontinuing the Tamil and Hindi sections, eight. This week we print twelve pages. It will be easily realised that such expansion means increased expenditure. And we cannot advance further without encouragement. The account of the meeting,[1] held at Mr. Omar Haji Amod Zaveri's place, will give some idea of the present financial position of the journal. We believe it is the duty of every Indian to help. All persons connected with the journal are such that they can earn their livelihood by other means. That they continue with the journal despite this is due, we believe, to the spark of patriotism that they keep alive in their hearts. And if enough support from the community is forthcoming, the journal can render even greater service. We wish therefore to suggest to our subscribers that, if each one of them enlists another, the number of subscribers will double in no time. We can assure them that any addition to the income of the journal will all be used for improving it.

[From Gujarati]

Indian Opinion, 28-4-1906

315. APPEAL TO YOUNG INDIANS IN SOUTH AFRICA

Various associations of Indian youth are nowadays being formed in South Africa. They indicate an improvement in our condition. While a Young Men's Mahomedan Society has come into being in Durban, Sanatan Dharma Sabhas have been founded in Johannesburg and other towns. This is a matter for satisfaction. But we feel it necessary to sound a note of warning to both kinds of bodies.

It is a confirmed law of nature that an association of persons can grow and endure only if their minds are free from prejudice and all of them seek their good in the good of the association.

Every country depends a great deal on its young men and women. Old men with their set habits of thought cannot readjust their opinions as necessary. They cling to old ideas. Every community, however, has undoubtedly need of such men, for they help to contain the restless enthusiasm of youth within limits. While they have their uses, they have their disadvantages also, since they often hesitate to do things which needs must be done. This may be thought becoming in them; but it is help-

[1] *Vide* pp. 289-90.

ful to have good young men coming forward, for it is they alone who can venture to experiment. It is therefore as necessary for us to encourage these associations as to caution them against over-enthusiasm.

The members of these youth organizations will be able to achieve many great things, if they work with sincerity and with the sole intention of doing the right thing by their country. For instance, there is much insanitation among us. Mr. Peeran Mahomed has already commented on this subject at a Congress meeting. Our young men can do much to remedy this laxity by making house-to-house visits and politely persuading people. Some poor Indians are given to drinking, and their wives have also fallen victims to the habit. Our young men can do much, if they take up the very important work of redeeming them. We should like here to ask our Gujarati readers not to assume that they may not do this kind of work among the Madrasis given to drinking. We may add that the drinking habit is spreading among some Gujarati Hindus also. Whether Hindus or Muslims, all of us can help in reclaiming them.

Moreover, it is necessary for such youth organizations to be more mindful of the needs of education. There is a dearth of education even among our youth. We do not consider mere literacy to be education. We ought to have some knowledge of world history, the constitutions of various countries and other related subjects. We can learn from history how other nations have progressed. We can emulate them in the matter of their burning patriotism. Youth organizations can do many such things; indeed, it is their duty to do so. We do hope that these associations will fulfil their obligations by taking on such benevolent functions, earn people's gratitude, and take their due share in meeting the difficulties that are our lot in this country.

[From Gujarati]
Indian Opinion, 28-4-1906

316. THE MEETING AT MOMBASA

There seems to be no end to India's misery. Wherever the Indian goes, the whites there are against him. Where there is no danger from the whites, there are internal quarrels. If we are free from these, we are caught by the plague. And if we escape these three calamities, famine is there at our heels.

These thoughts come to mind as we read the account of the meeting of our brethren at Mombasa, published elsewhere in this issue. The whites cast their greedy eyes on the fertile territory of Nairobi, near Mombasa. They tried to drive the Indians out of the place or to stop them from entering the territory. They seem to have succeeded in the attempt. Following this, our people held a big meeting and are preparing to resist the whites. So great was their enthusiasm that, within half

an hour, they succeeded in collecting Rs. 20,000 and have further undertaken to raise Rs. 400 a month for calling in a lawyer to help.

We are witness to much unhappiness in this country, but as against that, we are also becoming united. If our hardships should thus lead to unity, we might as well welcome them for the time being. If we unite and put up a fight in every part of the world, our problems will ease, they will soon be forgotten and we shall become one unified community.

The Chairman of the meeting said in his address that we in South Africa enjoyed equal rights with the whites. If Mr. Jivanji does at all know of this journal, he must be aware of our privations. We are sorry to have to tell him that our political condition here is worse than that of our brethren in Mombasa. If an Indian in Natal can acquire land, he has other hardships to face; and preparations are afoot to deprive him even of the right to hold land. In the Transvaal and the Orange River Colony, land cannot be owned by an Indian to this day.

[From Gujarati]

Indian Opinion, 28-4-1906

317. THE NATAL REBELLION AND AID TO NATAL

Bambata is still at large, and it is reported that he has 300 men with him. Many speeches have been made on the armed encounters with him. The Natal cabinet has declared that it will not seek aid from England. Telegrams have been received which mention a large meeting held at Johannesburg and say that the people there are prepared to render all aid to Natal. All this means that the strength and the independence of Natal will increase. It was right and proper of the Indian community to have gone to the help of the Government at such a time. Had they not made the offer, a slur would have been put on our good name for ever. Those who have enlisted themselves for war have indeed shown great courage and enthusiasm. Most of them are Colonial-born. It is a matter of satisfaction to us that they have joined the other Indians and it is the duty of the leaders to encourage them to go forward.

[From Gujarati]

Indian Opinion, 28-4-1906

318. STIR IN CHINA

The Times correspondent says that the Chinese are taking greater liberties every day and are attacking the whites. Chinese newspapers publish very inflammatory articles, and in this they are being assisted by Japanese journalists. The speeches made by men of the Liberal Party on the subject of Chinese labour in the Transvaal mines have had a very

bad effect on the Chinese who have become all the more enraged against the whites.

[From Gujarati]

Indian Opinion, 28-4-1906

319. EVILS OF TOBACCO

An article by the renowned Dr. Cortez of Paris has appeared in the latest number of *The Indian Review*, wherein he mentions many evils of tobacco. The more important among them are that digestion is impaired and eyesight badly affected. It leads to loss of memory and disables one from developing high moral virtues. Moreover, it has now been found that even hearing is affected. The doctor has conclusively shown that irregular action of the nerves governing the sense of hearing is to be ascribed to tobacco.

[From Gujarati]

Indian Opinion, 28-4-1906

320. THE FATE OF SAN FRANCISCO

Owing to the earthquake, this city has been laid waste for the most part. The princes of yesterday have become paupers today. Many wealthy people have been left without shelter or clothes to wear. On this occasion of Nature's wrath, the millionaires and the penniless have been reduced to the same level. Even the distinction between white and black has disappeared. There is great scarcity of food in the city. Even bread is hard to get. A violinist who was living in a palatial building is roaming the streets, violin in hand, almost naked.

Notwithstanding this catastrophe, as the latest cablegrams show, the people in the city have started reconstructing it and making it as splendid as ever. Consequently, steel is in very great demand.

[From Gujarati]

Indian Opinion, 28-4-1906

321. REPLY TO YOUNG MEN'S MAHOMEDAN SOCIETY

This report[1] was received while I was away at Phœnix. Since the Secretary desired that it should be published in full, I have passed on the whole of it for publication. But I have a word to say to my young friends. Reports should always be such as to enable people to learn something from them. I see nothing of the kind in the above report.

I accept the criticism levelled against me in all humility, and do not in the least hesitate to print it. I have nowhere said—nor indeed can I say—that the Muslims were converted from among *bhangis* and the like. I have not offended the feelings of the whites either; rather, I spoke in their favour. However, if I have committed an error in anything that I said, I have already requested my brethren to forgive me.[2]

I have allowed all the letters written against me or this journal to be published while I disallowed the letters to the Editor written in my defence. But I must add that writings likely to encourage dissension in the community will never be published. I shall always be glad if another Gujarati journal or other printing presses are started. To render public service is the only aim of this journal. It will be a matter for pride for the men running this Press, if others come forward and compete in rendering such service.

The lists acknowledging receipts of contributions to the Hindu Crematorium Fund were published against payment in *Indian Opinion*. So also were contributions to the Dabhel Madresa Fund. This journal is being published under such difficult conditions that all Indians are expected to render it maximum help. All the space in it is so valuable that whatever matter is printed in it free of cost should be such as to educate and enlighten.

In brief, my only request to my young friends is that they ought to display enthusiasm for public work. This journal is for the service of the entire Indian community. If they help it, they will be deemed to have done their duty. Their help will lend strength to the journal, which in turn will redound to the community.

I hope my friends will not take offence at what I have written and

[1] This was a report in *Indian Opinion* covering the proceedings of the two meetings of the Young Men's Mahomedan Society, Durban, held on April 16 and 24. Some speakers at these meetings had complained, among other things, that articles of interest to Muslims, reports of the activities of their Society, their subscription lists and letters to the Press, etc., were not published in *Indian Opinion* in full or given adequate publicity. This would not have happened, they pointed out, had they had a paper of their own. Gandhiji's statement is in reply to this criticism.

[2] *Vide* Vol. IV, pp. 458-9.

will construe it aright. My purpose in writing this is also to serve.

M. K. GANDHI

29-4-1906[1]

[From Gujarati]

Indian Opinion, 28-4-1906

322. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
April 30, 1906

MY DEAR CHHAGANLAL,

I am sending more Gujarati [matter] to-day. I intended to send some this morning but I was not able to post it as Kalyandas came to the office late and I wanted to get on with the office work. I hope, however, all the matter will be in good time.

I am leaving for Pretoria at 11.30. I, therefore, cannot write much.

Kalyandas will leave on Wednesday morning and not on Tuesday. He is anxious to pass a day here. He will, therefore, be with you on Thursday. You may send the Kaffir boy to meet him and take his things by the afternoon train. All of you, I know, will be engaged on Thursday over the paper.

Let Gokuldas start on Friday, if possible. He can leave by the 4.30 train, if he can be spared and take the mail train. Of course, he should take a single ticket. If he cannot leave on Friday, he must leave without fail on Saturday so as to be here on Sunday, but please try to send him on Friday as I shall be very much rushed.

Kalyandas should immediately take up the town work. You should get an annual second class pass for him. If he has to leave in the meantime, as you said, we can get a refund. For the present, your whole attention should be entirely devoted to the books.

I hope to write more fully in the train to-day or at the house tonight.

I am glad you have shaken off the fever.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
c/o *Indian Opinion*
PHŒNIX

From a photostat of the original signed by Gandhiji : S.N. 4354

[1] This date is evidently incorrect since the issue in which it was published bears the date, 28-4-1906.

323. NATAL LAND BILL

The Parliament of Natal will have before it a measure of far-reaching importance for consideration in the shape of the Land Clauses Bill. It is the second attempt of the Natal Government to pass the measure through Parliament. The clause of the greatest importance to the Indian community is that which restricts the meaning of beneficial occupation, so far as tenants' occupation is concerned, to European occupation only. Thus, land that may be occupied by Indian tenants would be considered to be non-beneficial occupation, and will be subject, on that account, to heavy taxation. It has been universally admitted that, whatever may be the faults of the Indian, he is not lazy; he is a born tiller of the soil. He is, by common consent, considered to have reclaimed some of the worst soil in the Colony. He has turned dense bush into gardens, and has made it possible, by his productive capacity, to bring garden produce within easy reach of the poor householder in Natal. Is his very virtue to be singled out for taxation? Will the Government thereby promote European occupation? We doubt it. And if our doubt be reasonable, we are safe in saying that the Government will be pursuing a dog-in-the-manger policy, by persisting in retaining the definition, above alluded to, of the expression "beneficial occupation". It is not by Acts such as this that the Government will be able to solve the Indian question in Natal. It behoves the ministers and the leaders of public opinion to reflect seriously and calmly on the whole question and deal with it in a statesmanlike manner, instead of by the recent spasmodic anti-Indian legislation.

Indian Opinion, 5-5-1906

324. CAPE DEALERS' LICENCES

The Cape *Government Gazette* of the 20th April contains the text of a Bill to regulate the trade of a general dealer. We have no hesitation in welcoming the measure. Granted that some restriction of an indiscriminate issue of trade licences is necessary, the Bill before us is free from reproach. It safeguards vested rights, and provides reasonable precautions against any injustice being done to applicants for new licences. It gives the power ultimately to the people themselves to say whether they will have among them a new trader or not. The Bill, whilst it protects existing traders against undue competition, gives fair facilities for new enterprise. It avoids all the faults of the Natal Dealers' Licenses Act, and secures all that the Natal Act could ever achieve consistently with regard for vested rights. We hope that the Natal Government will copy the measure and free the Statute-book of the Colony from legislation

that has been condemned by all thoughtful men, and that has caused intense irritation amongst a portion of His Majesty's subjects.

Indian Opinion, 5-5-1906

325. BRITAIN, TURKEY AND EGYPT

The latest cablegrams show that the ill-feeling between the British and the Turkish Governments has further increased. The whole trouble is about the Egyptian boundary which still remains undefined. The first clash occurred near Akaba. Following this, the Turkish army marched on Taba Yama in the Sinai district with a view to taking possession of it. The British Government thereupon sent a communication to their Ambassador, Sir Nicholas O'Connor, asking him to lodge a strong protest with the Turkish Government and urge them to withdraw their army from Taba. The Turkish Government took no notice, and was, on the other hand, encouraged by the German Emperor to flout the British Government's wishes. Now the Turkish army is building a fort at Akaba and apparently preparing for war.[1] In retaliation, the British Government have started strengthening their garrison in Egypt. Moreover, the British Government fear that the Egyptians too are on the side of the Turkish Government. If these differences between the British and Turkish Governments should lead to war, it would be the first of its kind. It does not seem likely that the Turkish Government will retract. A cablegram received by *The Witness* shows that the border posts erected near Rafa have been demolished by the Turkish army.

[From Gujarati]

Indian Opinion, 5-5-1906

326. OUR DUTY

A correspondent who has signed himself "Ajax" has addressed a letter to *The Advertiser*. We print a translation elsewhere in this issue. The letter deserves to be pondered over by all Indians. It is intended to stir up public feeling against us. All of it is written in an ironical manner, the purport being that Indians are useless in times of war.

We should give this accusation earnest thought. In sending an offer of help to the Natal Government we took the right step. Because of this, we can face others with some measure of confidence. But that is not enough. We should strive harder with a view to playing [a more direct] part in times of war. Under the Militia Law, enlisting is compulsory for whites

[1] Taba was occupied by the Turkish forces ostensibly to protect the Turkish Railway between Damascus and Mecca. Eventually, a new demarcation of the frontier between Rafa and Akaba was agreed upon.

when war breaks out. If we can also prove our willingness and ability to fight, our disabilities may possibly disappear. But whether these are removed or not, we Indians in South Africa ought to hold ourselves in readiness to share in the adversity that might befall Natal or any other part of South Africa. If we fail to do so, we shall be found wanting to that extent.

There is rumour of a revolt in Swaziland. The Natal Government has ordered huge quantities of ammunition. All this goes to show that the Natal rebellion will last many more days. And if it spreads further, it might affect the whole of South Africa. This time help from the Transvaal has already reached Natal.[1] The Cape has promised aid, and an offer has been made by England also. If we keep aloof at such a time, it is bound to create a bad impression about us. It is necessary for every Indian to consider this matter very seriously.

[From Gujarati]

Indian Opinion, 5-5-1906

327. THE EXAMPLE OF MOMBASA

Two more issues of the newspaper published in Mombasa have been received, which show that the Indians there are determined to do all that is necessary to secure their rights. Their example deserves to be followed by us all. We wish the Indians of Mombasa success.

From the subsequent issues of the paper, one learns that the apparent misunderstanding at the meeting about South Africa was due really to incorrect reporting.[2] The Indians there know quite well that we in South Africa do not enjoy the same rights as the whites do. But the more important thing one finds is what the Editor of the journal himself points out. He says that there is no unity among the Indians and that they will not succeed in securing their rights as long as it is not achieved. There are many factions amongst them. If the Commissioner wants any information about the whites, he can immediately find a white person to speak for all of them; but when the Commissioner desires to know anything about Indians, he has to invite half a dozen men of different communities. This is indeed unfortunate, if true. As we all come from the same country, we should forget that we belong to different communities. So long as we do not bear this in mind, we can never be rid of our hardships.

[From Gujarati]

Indian Opinion, 5-5-1906

[1] *Vide* "The Natal Rebellion", pp. 281-2.

[2] *Vide* "The Meeting at Mombasa", pp. 296-7.

328. WORKMEN'S LIVING HABITS

Nowadays, there is an increasing appreciation among enlightened men of the need for open air. Where large cities have come into being, labourers have to work cooped up in factories the whole day. As the price of urban land is high, factory buildings are not spacious enough, and the tenements of labourers are also very small. This invariably results in a steady deterioration of their health. Dr. Newman of Hinsborough in London has shown that the death rate per thousand is 38 in areas where too many people live huddled together in one room, but where the same number live in two rooms, the death rate is 22; where the same number of people share three rooms, it is 11 and where they have the use of four rooms, the death rate is only 5. There is nothing surprising in this. A man can do without food for several days and live a day altogether without water, but it is impossible to carry on without air even for a minute. If a thing that is so very vital to life is not pure, the result cannot but be deleterious. It was for these considerations that large manufacturers like Cadbury Brothers and Lever Brothers, who have always been very mindful of the welfare of their workers, have shifted their factories to open places outside cities. They have built very good quarters for their workers with all the attendant amenities, such as gardens and libraries; although they have spent all this money, they have flourished in their business. A similar movement has spread all over England in the wake of this example.

This matter deserves consideration by Indian leaders. We suffer much because we do not realise the value of pure air; and this again is a strong reason why diseases like plague spread among us.

[From Gujarati]

Indian Opinion, 5-5-1906

329. INDIAN MERCHANTS' CHAMBER

In our last issue, we published Mr. Omar Haji Amod Zaveri's letter on this subject. It deserves careful consideration. Every Indian who knows the conditions in South Africa can understand how much influence the British Chamber of Commerce wields. Had Indians taken part in the activities of British chambers from the beginning, the condition of the Indian trader would be different today. Numerous reforms could have been effected through them. We know that, when Indian traders first came to South Africa, Englishmen used to invite them to join their Chamber. Now the situation is such that we would be rejected if we sought admission.

Mr. Omar Zaveri now puts forward the idea that, if we cannot secure admission to the British Chamber, we can start one of our own. If it is started and our traders work for it diligently and introduce such reforms as are necessary, and if all of them act according to its advice, it will be able to achieve a good many things. The British chambers command great influence because their authority is accepted by all traders. If we cannot bring about such a state of affairs, it will make no difference whether or not we set up a Chamber. If therefore experienced and public-spirited Indian merchants meet together, consider the matter seriously and found a chamber of Indian merchants, we stand to gain. And it will be considered a good step taken to better the lot of Indian merchants.

[From Gujarati]

Indian Opinion, 5-5-1906

330. JOHANNESBURG LETTER

May 5, 1906

The Malay Location

I have already reported that the deputation regarding the Malay Location waited upon the Lieutenant-Governor.[1] The latter has sent his reply, saying that a part of the Malay Location will be taken over by the Railway authorities and the rest by the Johannesburg Municipality; that they will pay compensation to owners for buildings in the Location taken over by them, and that the Colonial Secretary will set up another Location for the displaced tenants. This reply means nothing. This outcome was anticipated even before the deputation waited on the Lieutenant-Governor. It does not appear that, for the present, the local Government will render any kind of justice.

Hardships on the Railway

The Chairman and the Secretary of the British Indian Association saw Mr. Price, the General Manager, regarding the prohibition of Indian and other Coloured passengers from travelling by the 8-30 [a. m.] and 4-40 p.m. trains from Johannesburg to Pretoria and the morning train leaving Pretoria at 8-30 for Johannesburg. The interview lasted about an hour. Mr. Price argued that the feeling among the whites ran rather high then and it would not be desirable for the Indians to press the point further. Finally, he gave the assurance that, if an Indian had to travel by any of these trains for any urgent piece of work, the station master would, on request, arrange for him to travel with the guard. Mr. Price, however, suggested that, for the present, as few Indians as possible should travel by

[1] *Vide* p. 288.

these three trains. He said that such restriction would not continue for long. A recent case that has a bearing on this subject deserves notice. A Coloured man was travelling in a second-class carriage with a white woman sitting beside him. Mr. Bowcker, a white, noticed this, and his blood boiled at the sight. He asked the Coloured man to vacate his seat, but the latter merely produced his ticket. But Mr. Bowcker was not satisfied and spoke to the guard who refused to intervene. Mr. Bowcker thereupon brought other white passengers to the carriage and threatened to evict the Coloured man. The helpless guard was forced to throw him out. It is not here possible to apportion blame to any official. Such difficulties are bound to occur as long as the whites continue to behave excitedly over this question.

The following is a translation of what another white writes in *The Transvaal Leader* under the title "Coolie Traveller".

> Mr. Bowcker deserves the gratitude of the whites for what he has written about the Coloured man. Some time ago, I was travelling from Potchefstroom to Park. There were also two 'coolies' in the train. It is true that they were in another compartment; but that does not lessen the evil. For a white will have to sit in that compartment after they leave. Moreover, the two 'coolies' wiped their hands with the towels kept there. The same would have to be used by the white also. And I am sure no decent white would want to use the cup or the towel used by a 'coolie'. Surely, it behoves the Railway authorities to show some consideration for the public.

One comes across such correspondents in many papers. The only thing Indians could do on such occasions is to be patient.

Mr. Ritch and Messrs George and James Godfrey

Cablegrams received by the local Press say that Mr. Ritch has passed his examination in England; and so have Messrs George and James Godfrey. The two brothers will shortly return, having qualified as Barristers.

The Condition of the Chinese

The Imperial Government is pressing for early publication of notices for the repatriation of the Chinese mine-workers at Government cost, if the latter find this work distasteful. The mine-owners, on the other hand, say that they will not put up the notices in their compounds. A serious dispute is likely to arise if the mine-owners decide to flout the Government.

The Tram Case

The tram test case is not over yet. The case of Mr. Coovadia will be heard again before the Magistrate. The Crown Counsel had the hearing fixed for Saturday, the 12th.

The Constitution Committee

The Commission headed by Sir Joseph West Ridgeway has arrived in the Transvaal. It is at present sitting in Pretoria. The British Indian

Association has inquired whether the Commission will record such evidence as the Association may place before it regarding the condition of Indians. If the Commission agrees, it will be possible to present the whole case before it.

[From Gujarati]

Indian Opinion, 12-5-1906

331. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
May 5, 1906

MY DEAR CHHAGANLAL,

I have your letter. I am surprised you did not receive the Johannesburg letter this week. I certainly sent it. I have a list of all the articles I sent. I should check it as soon as I receive *Indian Opinion*, and then let you know. If it is at all possible to let me have Gujarati copy as well as English copy in advance on Fridays, it will be very much better, as I should then receive them on Sunday mornings and make use [of them]. You have sent me many cuttings. I am dealing with them in Gujarati but some of them really should have been dealt with this week and if they have, I should not have to write on them at all. That I could do on Sundays if I got an advance copy. You may also in sending your copies mark there whether you have dealt with it in the current issue or not. I do hope Gokuldas left yesterday. I can then prepare him for the work on Monday, but as there is no telegram, I fear that he has not left. I would like you to tell me whether Mr. Isaac has dealt with the matters you entrusted to him. I want you to remind me about the list of Mr. Nazar's effects next week. As I am destroying your letter, I may forget all about it. You should do the work of general supervision as to the other matters and devote the balance of your time entirely to the books. I wish you to promise to yourself as to the time when you will have the balance-sheet ready.

Kalyandas ought to be a tower of strength to you. If he is willing to stay with you he may do so, but I think that if he remains with Hemchand, he will exert a better influence on him. He will not very often take his luncheon in Phœnix. All, therefore, he will have is one meal in the evening. He may as well have that separate but you may all decide otherwise, if you choose to. I am glad you are attending to the improvements of your ground. It is most necessary work, and I would like you, now that you will be freer, to devote your time to it methodically. There should not be a weed within your two acres. I will write to Sam about the garden.[1] I return the cutting on gardening you have sent me. You should keep it and let others read it. You

[1] This letter, if written, is not available.

should read other books also on gardening. I think there is a little book with Mr. West.[1] You should learn to lead in such matters. I shall write to Mohanlal about a weekly letter. I spoke to Vyas also. I do not think it is necessary at present to offer to send them the *Opinion* free of charge. Let them feel that it is their duty to write these letters.

I have not yet recovered the money from the theatre people. You should not, therefore, execute the job until I have done so.

Apropos of the Johannesburg letter, may it not have been received by Anandlal directly, because I believe the first batch of my Gujarati writing I addressed to Anandlal...[2]

From a photostat of the original : S.N. 4356

332. LETTER TO CHHAGANLAL GANDHI

Sunday, [*May 6, 1906*]

MY DEAR CHHAGANLAL,

There is something I have to write to you about but have no time today. You have to occupy yourself wholly with the books for the present. I am sending herewith the Gujarati matter. Go through it yourself, and after showing it to Harilal Thakar, pass it on to Anandlal. At the moment I do not have the time to write him a letter. I shall address the matter that I write to-night directly to him. Please take care that nothing incorrect is printed in Gujarati. You may keep an eye on it, but put the whole burden of it on Mr. Thakar. I shall write asking him to show all the Gujarati material to you. But you are not to spend much time over it at present. I collected twenty more names by Friday, which I shall send you tomorrow. Subscriptions from six of them have already been received. Kalyandas will leave on Tuesday morning, arriving there on Wednesday evening. It will do if either you or some one else meets him at Phœnix on Wednesday evening. Entrust all the Durban work to him. It will be enough if you go [to Durban] once a fortnight with the editor's ticket. It is necessary that you concentrate mostly on books.

Send Gokuldas as soon as you can. Else on Saturday.

Blessings from
MOHANDAS

From a photostat of the Gujarati original in Gandhiji's hand : S.N. 4357

[1] On this, Mr. West writes : "I think that the book referred to was written by one Du Casse, a man of great practical experience in Natal who had a lovely garden at Hillary, not far from Durban. Many of our fruits and ornamental trees planted at Phœnix came from his nurseries. The title of the book I cannot remember. The publishers, I think, were P. Davis & Son, Pietermaritzburg. . . . "

[2] The letter is incomplete.

333. LETTER TO LORD SELBORNE[1]

[JOHANNESBURG,
Before *May 12, 1906*]

SIR,

I have the honour to acknowledge the receipt of your letter dated the 30th ultimo, No. 15/4/1906. My Association ventures to think that the complaint forwarded to His Excellency[2] has not received that investigation which the circumstances required. As to the dilatoriness, my Association will watch the working of the new department. In the meanwhile, attention is respectfully drawn to the fact that applications have been pending for months, and it is difficult for my Association to reconcile such a lapse of time with any regard for the convenience of the applicants.

With reference to the case of Mr. Suliman Manga, my Association has ascertained the full facts, and my Association thinks that the information given to His Excellency is by no means complete. There was absolutely no mis-statement of material facts in connection with the application. The application was made through Mr. Gandhi, who, my Association understands, was instructed by a friend of the Mangas'. The ground for the application was not that Mr. Manga wanted to visit his uncle, but that he wanted to pass through the Transvaal on his way to Delagoa Bay. A reply was received on the 14th March rejecting the application for a temporary permit. The variation as to the description of the relative only took place after rejection of the application. In reply to the letter in question, Mr. Gandhi wrote to the Permit Officer expressing his surprise and there described the uncle as father, which, as he explains, was written without his having referred to the previous letter. In any case, there was no question of misleading, as the variation in the description of relationship was so palpable that it could only be accounted as a mistake. As a matter of fact, as it now transpires, Mr. Manga had neither a father nor an uncle in Delagoa Bay, but he had a cousin, and for that matter there was a further discrepancy that Mr. Manga was described as a British Indian, whereas he happened to be a Portuguese Indian. All this arose as instructions were given by a friend of the Mangas' who did not know them intimately. But none of these facts had any direct bearing on the application. In the second letter, information was given to the effect that Mr. Manga was a student from England. A later development of the case showed the painful fact that Mr. Manga,

[1] This was published in *Indian Opinion* under the caption "British Indian Association's Reply".

[2] *Vide* pp. 273-6.

considered as a British Indian, was unable to secure what he got for the asking when it became known that he was a Portuguese subject. The case of Mr. Suliman Manga is, in the humble opinion of my Association, very important as showing the difficult position in which the British Indian community is placed in the Transvaal. The reason, too, given for the refusal was denied to my Association. My Association became aware of it for the first time through your letter. The foregoing statement of facts shows that the reason for refusal could not have been the variation in the description of the relative in Delagoa Bay, because when the decision was announced, the slip as to the uncle being described as father had not occurred. My Association ventures to submit that there should be sufficient latitude granted in connection with temporary permits, or what may be termed visitors' passes, and that in any case applicants should have reasons given to them as to why their applications have been rejected. My Association has obtained copies of the correspondence in the matter which I take the liberty to enclose herewith.[1]

Regarding the age limit for the introduction of male Asiatic minors, my Association respectfully submits that the reduction of the age limit would hardly cure the abuses referred to in the letter under reply. Those who intend to practise deception will continue to do so whether the age limit is sixteen or twelve. Abuses under legislation restrictive of human liberty are inevitable, but my Association respectfully submits that the abuses have by no means been extensive, and they have always been avoidable. May I further venture to state that the reduction of age limit is a punishment awarded to the innocent for the crimes of the guilty persons.

With reference to all persons irrespective of age or sex being required to obtain permits, my Association takes it that it only refers to British Indians or Asiatics, for it is within the knowledge of my Association that many European children and ladies have entered the country without any permits at all. My Association ventures to submit that the requiring of wives, and children five years of age, or, as it has been said, infants-in-arms, to carry permits is hardly called for and is calculated to create a great deal of irritation. My Association, therefore, once more respectfully requests His Excellency's sympathetic intervention.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 12-5-1906

[1] Not reproduced here

334. INDIAN VOLUNTEERING

Correspondence has appeared in *The Natal Advertiser* on the offer of the Indian community, in connection with the Native rebellion, which ordinarily we should not feel justified in noticing. As, however, the subject discussed by the correspondents of our contemporary is of such vital importance both to the Indian community and to the Colony, we make no apology for dealing with the points raised by them. We have no concern with the reckless abuse indulged in by some of the correspondents.

One of them has satirically suggested that Indians, so that they may not run away, should be placed in the front-line, and that then the fight between them and the Natives will be a sight for the gods. We propose to take the correspondent seriously, and venture to suggest that, if such a course were adopted, it would be undoubtedly the very best that could happen to the Indians. If they be cowardly, they will deserve the fate that will overtake them; if they be brave, nothing can be better than for brave men to be in the front-line. But the pity of it is that the Government, and the European Colonists who have dictated the policy to the Government, have not taken the elementary precaution of giving the necessary discipline and instruction to the Indians. It is, therefore, a matter of physical impossibility to expect Indians to do any work with the rifle; or, for that matter, to do any work in connection with war with much efficiency. The Indian Ambulance Corps, at the time of the late war, did excellent work, without the necessary instruction and discipline, only because the Indian leaders who joined the Corps had previously been instructed and prepared under Dr. Booth.

Another correspondent has suggested that Indians should not be armed, because if they were, they would sell their arms to the Natives. This is a suggestion which is made wickedly, and without any foundation in fact. Indians have never been armed; it is, therefore, sheer folly to say that, if they were, they would act in a particular direction. It has also been suggested that the offer has been made to gain cheap applause, and also to gain something not made apparent in the proceedings of the Congress meeting. The first statement is slanderous, and the best way to disprove the stricture is for these correspondents to make the Government accept the offer, and to see whether the response is adequate or not. The second statement is difficult to understand. If it is intended to convey the impression that Indians, by serving during war time, hope to obtain a redress of their wrongs, the statement is true, and no Indian should be ashamed of such a motive. What can be better and more praiseworthy than that Indians, by standing shoulder to shoulder with their fellow-Colonists in the present trouble, should show that they

are not unworthy of the ordinary rights of citizenship which they have been claiming all these years? But it is equally true also that the offer has been made unconditionally, as a matter of simple duty, and irrespective of whether there is any redress of the grievances granted or not. We, therefore, consider it to be the special aim of every Colonist to support the Indian community in the offer it has made, and thereby to show prudence and foresight, for it cannot be seriously argued that there is any wisdom or statesmanship in blindly refusing to make use of, for purposes of war, one hundred thousand Indians who are perfectly loyal, and who are capable of good training.

Indian Opinion, 12-5-1906

335. INDIAN PERMITS

Lord Selborne has now replied to the representations of the British Indian Association on the working of the Permit Ordinance. The Association has sent in a further representation, traversing some of the facts and arguments contained in His Excellency's reply. We cannot help saying that Lord Selborne's reply is most disappointing. The Manga case has been fully dealt with by the Association in its reply.[1] We need not, therefore, comment any further upon the curious reason given for refusing Mr. Manga's application for a permit.

It is evident, from Lord Selborne's letter, that the age limit has been reduced arbitrarily from sixteen to twelve, for, as the Association has pointed out, evasion of the regulations by some people could be no ground for reduction of the age limit. But where utter want of regard for the feelings of Indians has been shown is in connection with separate permits being required for wives accompanying their husbands. This is an innovation which has absolutely no justification for it. The anti-Asiatic party has never said one word regarding the influx of Indian women. There are, as is well known, very few Indian women in the Transvaal, and they do not in any way compete in trade. Their work is confined solely to looking after their households. We must, therefore, frankly confess that we were not prepared for the reply that Lord Selborne has given regarding separate permits for wives. Is it a new discovery that "all persons in the Transvaal, irrespective of age or sex, are required under the Peace Preservation Ordinance to obtain permits"? If it is not, why have Indian women not been called upon hitherto to produce any permits? Why have Indian children been exempted until recently from having to carry any permits?

And, as the Association points out, the Peace Preservation Ordinance is not by any means universally applied, in that European ladies and children under sixteen years are free from having to obtain or carry

[1] *Vide* pp. 309-10.

permits when travelling with their husbands or parents; nor has His Excellency taken any note of peculiar Indian susceptibilities regarding Indian womanhood. We have no hesitation in saying that the regulation is unreasonable, insulting, and totally uncalled for. If it is enforced, it will create irritation which will be difficult to allay. It is strange, indeed, that, with the innovations introduced, His Excellency can conclude his letter by saying that the permit work is being done with "as much consideration for the convenience of the applicants as is possible under all circumstances". Not until the age limit has been restored, not until Indian women are rendered free from unwarranted insult, not until Indian refugees can have their applications considered immediately on their receipt, can, in our humble opinion, His Excellency say, with any show of justice, that the Permit regulations are enforced with any degree of reasonableness. We can quite understand the difficulties in the way of the officers who have to administer the law, but if they are short-handed, it is the duty of the Government to supplement the staff, so as not to delay consideration of the applications. Such an increase in the staff can only be temporary, for there must, some time or other, be an end to the applications from refugees. It is the congestion of work in the Office which has to be dealt with. Why cannot that congestion be removed by employing extra men?

Indian Opinion, 12-5-1906

336. THE COLOURED PEOPLE'S PETITION

The Coloured People's Vigilance Committee has prepared a petition, for submission to the House of Commons, in connection with the new Constitution to be granted to the Transvaal and the Orange River Colony. The public are not informed whether the petition is in continuation of that addressed to King Edward VII by the African Political Organization[1], or whether it is a distinct and separate movement. In any case, both the petitions represent practically the same interests. The only difference is that, whereas the petition to the King deals with Coloured people as distinguished from the Natives, the present petition seems to include the Natives. There is no doubt that, ultimately, the policy enunciated by the late Mr. Rhodes[2] will have to be accepted by South Africa, if there is to be federation, and if it is to continue to remain under the British flag. We, however, question whether, in view of what Mr. Churchill has so often said, it will be at all possible to grant the

[1] *Vide* "The Coloured People's Petition", pp. 241-3.

[2] Cecil Rhodes, Prime Minister of Cape Colony, 1890-6. His policy was to unite the Dutch and the British in a self-governing South African Federation which will extend gradually to cover Native territories. He also believed in self-government within the Empire.

prayer of the petitioners, though either petition cannot help [*sic*] but do good, as they will have paved the way for a discussion of the subject so soon as the Parliaments of the two Colonies meet under Responsible Government.

Indian Opinion, 12-5-1906

337. HOME RULE FOR INDIA

Mr. Parekh, the Vice-President of the Indian Home Rule Society, delivered a speech at Newcastle in England to the effect that home rule should be granted to India. He said that India should be given complete independence and that Englishmen should leave the country. The present policy was good for neither the rulers nor the ruled. That policy sometimes vitiated the character of the persons going out to serve in India. It is said that the administration of India is carried on under the direction and control of Parliament; but in reality the authority of Parliament was so limited as to be almost negligible. Since Parliament had no time to listen to the grievances of India's millions, the bureaucracy there exercised its powers arbitrarily. If home rule was granted, the condition of the people would certainly improve.

The reason why famines continually recur in India is not that there is not enough grain in the country. Where there is scarcity of grain, it is often confined only to particular parts of the country. The reason for countrywide famines, however, is quite different. Grain there is, but the people have not the means of buying it. India suffers from starvation because there is dearth not of grain, but of purchasing power. The Government there does not do its duty by its subjects; and the claim that British rule promotes the common weal has become a sheer pretence and mockery. In the name of justice and for the good of humanity, India must be given home rule.

[From Gujarati]

Indian Opinion, 12-5-1906

338. THE CHINESE CAN RETURN

The mine-owners in the Transvaal caused a furore over the notice which the Government intends to put up regarding permission to the Chinese to go back to their country. A public meeting was convened at Boksburg on the 8th instant, and it was demanded of the Government that they should not give the Chinese money to return home. Similar resolutions were passed, at a meeting in the Market Square, by the Rand Pioneers and the Krugersdorp Chamber of Commerce.

One mine-owner prevented a Government official from putting up

the notice on his premises, and filed a test case in the Transvaal High Court. While delivering judgment, the Chief Justice stated that the Government had every right to put up such a notice. The plaintiff's suit was dismissed with costs; and circulars have been issued asking managers of mines to assist Government officials in putting up the notice in every compound occupied by the Chinese.

[From Gujarati]

Indian Opinion, 12-5-1906

339. JOHANNESBURG LETTER

May 14, 1906

Tram Test Case

The tram case was to have been heard today. However, as the Municipality has decided to engage a Barrister even for the Magistrate's court, the case has been postponed to Friday. Sir Richard Solomon and Lord Selborne are taking a keen interest in this case.

Hardships on the Railway

The local Chamber of Commerce has protested against the power given to Railway guards to shift passengers about from one compartment to another. As a regulation to that effect will apply to all, the Chamber's protest will cover Indians automatically. All this has arisen from a minor inconvenience caused to a white passenger. Vehement speeches were made at the Chamber meeting also.

A few days ago, while Mr. Ahmed Surtie of Aliwal North was travelling from Germiston to Park Station, the guard put him to needless trouble. Mr. Surtie complained to the Railway authorities, who replied saying that the guard had been reprimanded. I have already mentioned the interview which the Chairman and the Secretary of the British Indian Association had with the General Manager.[2] Construing our conciliatory attitude as a sign of weakness and taking advantage of it, the General Manager has now gone a step further and says that Indians or other Coloured passengers should not attempt to travel even by the train leaving Pretoria at five o'clock in the afternoon. The Association has expressed its inability to agree to the imposition of this handicap, for, as the five o'clock train is convenient to them, Indians will not give up their right to use it.

The Commission Meetings

The Ridgeway Commission held three meetings at Johannesburg, at which the Progressive Party and the Rand Pioneers gave evidence.

[1] *Vide* "Johannesburg Letter", pp. 305-7.

Major Barnett has written to the British Indian Association to say that the Commission will record their evidence when they visit Johannesburg next. Mr. Daniel, too, is trying to get a hearing for his testimony on behalf of the Coloured People's Association.

Uncleanliness among Indians

At the corner of Pioneer and Park Roads in Fordsburg, there is a fruit and vegetable shop owned by an Indian. He was accused of sleeping in the same room where he kept foodstuffs. Giving evidence, the constable said that he saw fruit, bread and vegetable stored in the room in which the accused and another man were sleeping. Furthermore, there was also a bitch with a litter of eight pups in the same room behind a curtain. The shop stank badly. The Court sentenced the store-keeper to a fine of £5 or imprisonment for three weeks. A white showed me the report of the case published in *The Star* and said, "It is such men as these that do harm to the cause of your countrymen. How can you defend such a man?" I had no defence to offer. I could only hide my face in shame, while taking the newspaper from him.

The Transvaal Legislative Council

The Transvaal Legislative Council will meet on the 25th. The items on its agenda must be important, for this is probably its last session. A new Council is likely to come into existence next year.

The Chinese Posters

The mine-owners had approached the Supreme Court contesting the order which required a poster to be put up within every mine-compound to say that the cost of returning Chinese indentured labour to their country will be paid. Despite Mr. Leonard's best efforts in their behalf, the Supreme Court has once again shown its independence and sense of justice. Chief Justice Sir Joyce Rossiness, delivering judgment, said that the Government has full authority to put up such a notice in the mine premises. The Court has dismissed the application of mine-owners with costs, and a notice in Chinese has been put up at every mine. The effect of this now remains to be seen. Some people think that many Chinese will avail themselves of this opportunity and return to their country. Others believe that the notice will have no effect on them at all. If the number leaving is large, the mine-owners will be very badly affected. Some of them are threatening to close down their mines.

[From Gujarati]
Indian Opinion, 19-5-1906

340. LETTER TO DADABHAI NAOROJI

21-24 COURT CHAMBERS,
CORNER RISSIK & ANDERSON STREETS,
P. O. BOX 6522,
JOHANNESBURG,
May 16, 1906

THE HON'BLE DADABHAI NAOROJI
[LONDON]

DEAR SIR,

This is to introduce to you Mr. A. H. West who has been managing the International P. Press and sub-editing in *Indian Opinion*. Mr. West is one of the founders of the scheme under which the paper is being published. Mr. West is paying a short visit to his people and during that time he will do what public work he can.

I am,
Yours truly,
M. K. GANDHI

From a photostat of the original : G.N. 2272

341. AN ASIATIC POLICY

The well-known writer L. E. N. has now finished his able articles contributed to *The Rand Daily Mail* on Asiatics in the Colonies. He has suggested the following measures for dealing with the question:
(1) Keep out masses of Asiatics as permanent residents, as far as possible, at all costs.
(2) If indentured labour is needed, insist on repatriation on expiration of contract.
(3) Fair, even generous, treatment to those Asiatics who have, under the conditions of the old days, become part of the population of the country.
(4) No irritating restrictions on the movements of the temporary visitor or traveller. L. E. N. winds up by saying:

> With such a policy there must be no vexatious restrictions to insult the educated man—things more irritating and harmful than the regulation which quietly keeps out thousands of the poorer class. The cultured traveller of the Eastern world ought not to have to submit to treatment which is not even meted out to a pauper immigrant on a New York quay; he should not have to consent to having his thumb-impressions taken like a criminal or to be threatened, as the extremists of the Transvaal threatened him, with instant removal to a location.

With a presentment such as this we can heartily agree except in one particular. In fact the policy sketched out by L. E. N. is one that has

been accepted by the Indian community. The exception, however, that we have in mind is a very serious one. If indentured labour be introduced from India, whether for the Rand mines or for the plantations of Natal, it should not be subject to the repatriation clause. Had such labour not been introduced, probably the Indian question would never have arisen in South Africa, but if it be considered absolutely essential to the prosperity of any portion of South Africa that indentured Indian labour should be introduced, it is only fair that, after the men have been so introduced, and, in the words of the late Mr. Escombe, have given the best five years of their lives, they should be free to settle in the country and reap the reward of their services by following any honest occupation they may choose. Even the late Sir William Wilson Hunter, who was known for his extreme moderation, and who was always credited with being able to take a sane view of things, did not hesitate to consider the state of indentured labour as "one perilously near slavery". The least, therefore, that such men are entitled to is freedom of residence in the country which they have served so well. We think, therefore, that L. E. N. would have added greater weight to his contributions had he treated the question of free Indian immigration on its own merits, because such immigration is a matter of Imperial policy, whereas the question of indentured labour is a matter of contract and bargain.

Considerations that guide the examination of the one question do not necessarily apply to that of the other; in South Africa, where both the Transvaal and Natal are largely dependent upon indentured labour, either from India or other parts of Asia, it is extremely necessary to bear this distinction in mind.

Indian Opinion, 19-5-1906

342. MOVE FOR SHOP-CLOSING HOURS IN SOUTH AFRICA

Everyone knows that a law requiring shops to be closed at a given hour has already been enacted in Natal. We said earlier that a similar Bill was to be brought before the Cape Legislature. Now comes news from Johannesburg that a like move is afoot in the Transvaal too. There was a meeting of leading Europeans at the Masonic Temple, presided over by Sir George Farrar, and the Mayor of Johannesburg was present. The meeting passed a resolution to say that a law should be enacted requiring shops to be closed at a given hour. Indian merchants should take a hint from this. It would behove us to act of our own accord before a law is passed enjoining us to do so. The store-managers of Natal are trying to show that, in closing shops after being compelled by law to do so, we are doing nothing extraordinary. This is true to some extent. When Indian merchants in Potchefstroom decided to close shops at regular hours, we congratulated them. Our agent, however,

informs us that they have reverted to their earlier practice. We are sorry if this is true. We would strongly urge upon the Indian merchants in Potchefstroom as also those in other places that they reach an understanding with white merchants in the matter of closing shops before a law is enacted.

[From Gujarati]

Indian Opinion, 19-5-1906

343. POTCHEFSTROOM AND KLERKSDORP[1]

There is at present a trade depression in Potchefstroom. The discrimination that Indians there have to suffer relates in particular to using cabs and visiting public gardens. It is difficult for an Indian to hire a cab readily. There is little chance of securing legal redress in the matter. For when an incident of this nature occurred earlier, the Potchefstroom Municipality framed a bye-law, which is now in force. The remedy about the use of gardens lies in the hands of the Indians themselves. We cannot be legally debarred from visiting the public gardens; and we can institute a case even in a Magistrate's court and seek redress.

The agreement arrived at by the Indians in Potchefstroom after negotiations with the British traders, regarding the closing of shops at the same time as whites, appears to have been broken. This is not at all proper. The agreement should have been implemented in the same way in which it was negotiated. It should not happen that, because the whites are not fair in their dealings with us, we should also fail to do the right thing.

As between Klerksdorp and Potchefstroom, the Indian stores in the former town excel those in the latter. The Klerksdorp stores are built better and their facades, too, are more pleasing. There is no reason why the same cannot be done in Potchefstroom. Both at Klerksdorp and Potchefstroom, the Indian stores were mostly found to be quite comparable to those of the Europeans in elegance and in other respects; but the backyards and living conditions need improvement. The tenements in the yard should, however, be cleaner and more spacious; and the bathrooms, etc., should also be kept clean.

[From Gujarati]

Indian Opinion, 19-5-1906

[1] This article was based "On a Visit by Our Special Representative".

344. OUR SHORTCOMINGS

The lack of cleanliness among Indians, to which our Johannesburg Correspondent refers, deserves to be pondered over by all of us. If one glances at the newspapers of the last twenty years, one will find that the most serious accusation against Indians has all along been about their uncleanliness. In so far as the whites have exaggerated this charge, we have given suitable replies. The case which our Johannesburg Correspondent mentions should, however, put us to shame. That the same room should be used for sleeping and keeping vegetables, bread, etc., is reprehensible. We have nothing to say against the fine imposed by the court. Neither can we say that the offence was unwittingly committed. We want repeatedly to draw the attention of the Indians in South Africa to such incidents. The remedy for this kind of evil should lie in our own hands. It is not enough that we do not commit such offences ourselves; it is our duty to persuade our neighbours, our acquaintances and others whom we can influence to eschew such faults. It would not be thought improper if we appointed committees to bring about reforms in the matter. We believe that this should be the main function of the associations that have been recently founded. We specially invite the attention of the Mahomedan Association and the Hindu Sanatan Dharma Sabha to these matters. Our big merchants, who are the true leaders of the community, can effect many improvements in this respect. To begin with, they can clean up the backyards of their stores and, by so doing, influence the small traders and hawkers.

It will not be wrong to say that we have brought upon ourselves certain of these stringent regulations; and if we do not wake up now, late as it is, we shall only meet with greater severity. While talking among ourselves, we compare our position with that of the Jews and say that, though they live in a more slovenly fashion, they do not have to suffer the same inconveniences as we do. This is only a half-truth, and a half-truth is always misleading. There is no doubt that the living habits of poor Jews are worse than ours. But when money comes into their hands, they can make very good use of it. Instead of hoarding wealth, they put it to appropriate use. In Durban, in Johannesburg or in Cape Town, wherever we look, it is quite obvious that the Jews who have made money know how best to spend it; that their houses are very tidy and elegant, and that their standards of life are high. They mix easily with other Europeans and by doing so, they have been able to make so much money that, in Johannesburg, they wield as much influence as the rulers themselves. The richest persons in the world are to be found among the Jews.

It is characteristic of human nature to discover in others the faults which are in oneself, and thus to feel complacent in the belief that

others share one's defects. Men of discernment who are patriotic, and who are moved by the valour of others, should entertain good thoughts, should consider the merits and not the demerits of others, and should try to follow their example and persuade others to do likewise.

[From Gujarati]

Indian Opinion, 19-5-1906

345. "THE RAND DAILY MAIL" ON INDIANS

For some weeks past, a writer who signs himself 'L. E. N.' has been writing a series of articles on the condition of Indians for *The Daily Mail* of Johannesburg in South Africa. The concluding article of the series appeared last week. In it the writer has expressed the following views.

(1) In so far as it is possible, Asiatics should not henceforth be allowed into South Africa.

(2) If Asiatic labour be found necessary, it should be provided for in the contract with them that they would be repatriated to their native country, India or whatever it be.

(3) Generous treatment may be given to those Asiatics who have already settled in the country.

(4) No restrictions should be imposed on Indians who wish to come on a short visit.

The writer is an influential person and has written in the same strain in several other papers also. One may generally accept all his views excepting that relating to the compulsory repatriation of labour imported under indenture, and, as a matter of fact, we have been making similar demands for some time past.

[From Gujarati]

Indian Opinion, 19-5-1906

346. INSTRUCTIONS REGARDING PERMITS FOR CHILDREN

Permits are not at present granted to children under sixteen, but the British Indian Association is active in the matter. In all probability those who are above 12 but under 16 years and have already entered South Africa will not have any difficulty. We therefore request those persons, whose children above the age of 12 are stranded in any of the ports in South Africa, to let us have their names, addresses and other details so that we can send these to the proper quarters.

[From Gujarati]

Indian Opinion, 19-5-1906

347. THE QUESTION OF REPATRIATING THE CHINESE

We had earlier told our readers that the British Government had taken up the matter of repatriating the Chinese and that they were also prepared to bear the cost of doing so.[1] This has led to much excitement in the Transvaal, and the white mine-owners are planning, among other things, to send a deputation to England to prevent Chinese repatriation. General Botha has written to the Government saying that the Chinese not only did not desist from acts of violence against Boer farmers but were, in fact, becoming more cruel. The question arises as to how long these outrages will continue. If the Government of the Transvaal and the mine-owners could not stop this outrageous conduct by the Chinese, the Boers would complain to the British Government about it. He further says that, if the Government did not give a satisfactory reply, the Boers would send a deputation to the British Government in order to appeal to them to arrange the repatriation of the Chinese.

[From Gujarati]

Indian Opinion, 19-5-1906

348. JOHANNESBURG LETTER

[After *May 18, 1906*][2]

Tram Test Case

The case filed by Mr. Ebrahim Saleji Coovadia against the Johannesburg municipality was heard last Friday the 18th by Mr. Cross, the Magistrate. In his deposition, Mr. Coovadia stated that he was the Treasurer of the British Indian Association and that, when, on April 7, he attempted to board an electric tram, the conductor refused to admit him. The conductor deposed on behalf of the municipality, and with his testimony, the presentation of the municipal case was over. On this occasion, the municipality was represented by Barrister Feetham. On behalf of Mr. Coovadia, Mr. Gandhi was present to brief and assist Mr. Blaine, the Defence[?] Counsel. Arguing the case for the municipality, Mr. Feetham said that, at the time of the outbreak of smallpox in 1897, the Boer Government had issued certain regulations. Under these regulations, Coloured persons could not travel with whites in a tram-car unless they were servants of the latter. As the regulations were then

[1] *Vide* "Johannesburg Letter", pp. 305-6.

[2] The original is wrongly dated May 14, 1906. It is clear, from the reference to the hearing of Coovadia's suit against the Municipality on Friday the 18th, that this despatch was written on or after that date. The last few paragraphs are dated May 22, 1906.

still in force, Indians could not be allowed to travel by trams. The Magistrate, Mr. Cross, did not admit the argument and found that Mr. Coovadia had the right to use the tram under the regulations framed by the municipality in the matter and sentenced the conductor to pay a fine of 5s., or undergo imprisonment for a day in default. The conductor immediately paid the fine.

During the case, it transpired that the Town Council, with a view to thwarting the Indian case, had stated, while taking out a licence, that the trams were for the exclusive use of the whites; and Mr. Feetham was all flushed with triumph when he produced the licence before the court. But, as the Gujarati proverb goes, he who digs a pit for others falls into it himself; the Town Council committed a blunder in producing the licence. For it was found to have been issued four days after the date on which Mr. Coovadia had attempted to board the tram; and Mr. Feetham had to hang his head from shame when he realized the mistake.

Press reporters were present to cover the case, and a fairly full report has appeared in all the local papers. But though the success of the Indians was thus complete, the Town Council has wrested the fruits of victory from their hands. The joy at the court decision on Friday was marred by the regulation issued by the Johannesburg municipality and published in the *Government Gazette* on Saturday. It simply states that the regulations framed by the municipality in the matter of the tramway have been repealed. There is nothing apparently objectionable in such a regulation; but its legal implications are as follows.

Our plea was that, as the tram regulations of the Johannesburg municipality came after the smallpox regulations, the latter, which were not in consonance with the said municipal regulations, stood abrogated. But the argument of the municipality appears to be that, since the new regulations have now been repealed, the old ones about smallpox come into force again.

This is a clear case of betrayal. This means that we shall have to put up a fresh struggle beginning all over again—which will be both very troublesome and costly. But it has to be undertaken if the Indian community does not want to submit to this defeat.

There is a member of the Town Council named Mr. Lane who asked the Chairman of the Tramways Committee some questions yesterday and wanted to know the expense to which the Town Council put the citizens by fighting law suits of this nature. He also suggested that, if the Council at all cared for its prestige, it should no longer harass Indians.

Lord Selborne's Reply about Permits

Lord Selborne has replied to the second communication of the British Indian Association. The reply is both brusque and arrogant. It says that he is for the present unable to do anything further in the matter

of permits. This means that it would be obligatory even for women to take out permits. However, I believe the Indian community will not yield to such a law and His Lordship's views regarding Indians will not be allowed to prevail.

Malay Location

The owners of the Stands in the Malay Location have decided to send a deputation to Lord Selborne regarding the authority granted to the Town Council to acquire the Location.

The Commission from England

The Indian deputation will appear before this Commission at 3-15 p. m. on Tuesday, the 22nd. An account of what happens there will, if possible, be sent in time for this issue.

Tuesday, May 22, 1906

The Indian Deputation before the Constitution Committee

The Indian deputation appeared before the Constitution Committee today. It included Mr. Abdul Gani (Chairman), Mr. Haji Ojer Ali, Mr. Ebrahim Saleji Coovadia (Johannesburg), Mr. Ismail Patel (Klerksdorp), Mr. Ibrahim Khota (Heidelberg), Mr. Ibrahim Jasaat (Standerton), Mr. E. M. Patel (Potchefstroom) and Mr. M. K. Gandhi. A telegram was received from Mr. Haji Habib saying that he was prevented from joining the deputation at the last minute owing to pressure of work.

A statement prepared by the deputationists was submitted to the Commission and was hurriedly gone through by the Chairman of that body. He then asked some questions pertaining to it and further invited the delegates to raise any more points if any of them wanted to. In response to this Haji Ojer Ali said that the Indians were more particular about their general rights as British Indians than about the right of franchise; that they were not allowed even to use the trams and had to suffer frequent humiliation.

On the Chairman's wanting to know more about the problem, Mr. Gandhi gave a full account of the difficulties relating to the use of trams and added that there was another difficulty which caused greater harassment to the Indians: they were not only denied the right to purchase land, but they could not hold it in their own names even for religious purposes. Constant difficulties were experienced in the matter of transferring such lands in Pretoria, Johannesburg, Heidelberg and other places. It was a gross injustice to seek to place Indians in the same class as the Kaffirs. There were a number of laws in the Transvaal in which the term "Native" did not cover the Indian.

After this, the Chairman of the Commission asked the deputationists to send to the Secretary in writing all the details about the problems of

trams as also whatever additional information they wanted to give, so that the Commission might consider them. The deputation then withdrew.

Lord Sandhurst, who was formerly Governor of Bombay, then came out and made casual inquiries about Bombay, etc., adding that he liked Bombay very much and would like to go there again.

Next week I shall send the statement submitted to the Commission.

[From Gujarati]

Indian Opinion, 26-5-1906

349. *LETTER TO "TRANSVAAL LEADER"*[1]

JOHANNESBURG,
May 21, 1906

TO
THE EDITOR
Transvaal Leader
[JOHANNESBURG]

SIR,

May I say with reference to your leader on the tram-car case, brought at the instance of the British Indian Association, that the magistrate's decision does not "throw open the trams to Coloured persons of every grade". For instance, it does not throw open the cars to the Natives, and it leaves untouched the regulation which enables conductors to reject passengers who are drunken, ill-dressed or otherwise objectionable. So that when you say that your "remarks are directed to the matter in its broadest aspects", you give away the case for the Council. For nobody has ever contended that the cars should be usable by all without distinction.

But, Sir, the Town Council, by a method which is the reverse of honourable, has deprived the Indians of the fruits of their victory. For, in the current number of the *Government Gazette*, there appears a by-law which repeals the Traffic By-laws regarding tram-cars. This means that the tram-cars are now to run without any regulations to control the traffic on them. But it means too that now it will not be possible for a British Indian to claim to ride in the municipal cars under the general by-laws. And, I expect, the municipality will contend that the repeal revives the smallpox regulations of the old Government which the magistrate held to be not applicable in the face of the by-laws now repealed. Britishers are rightly proud of the fact that they never hit below the belt. With great deference, it appears to me, as it would, I hope, to every other ratepayer, that the Town Council, in adopting the above procedure, has departed from that proud tradition.

Consequent upon the Town Council's action then, for the time

[1] This was published under the caption "Tram Case".

being, your fear as to the tram-cars being used by "Coloured persons of every grade" are groundless, apart from the facts submitted by me. I, however, ask you whether you approve of the means adopted by the Town Council to achieve its purpose.

I am, etc.,
M. K. GANDHI

Transvaal Leader, 25-5-1906

350. EMPIRE DAY

On Thursday last, throughout the Empire, the birthday of the late Queen-Empress was celebrated. As the years roll on, the memory of that noble lady remains as fresh as ever. Her interest in India and its people was intense, and in return, she received the whole-hearted affection of India's millions. Her late Majesty showed her interest in and toleration for the religions of India, when she had the whole of the Proclamation of 1858 re-written, because of an unwarranted reference to the power the Government possessed of undermining native religions and customs. In her letter to Lord Derby[1], the Queen wrote:

> Such a document should breathe feelings of generosity, benevolence, and religious toleration, and point out the privileges which the Indians will receive in being placed on an equality with the subjects of the British Crown, and the prosperity following in the train of civilization.

These were the principles on which the Empire's foundation was laid. Expansion of trade and the acquisition of territory are not the only things true Imperialists aim at. There is a greater and a nobler ideal to work for: that of producing, as John Ruskin puts it, "as many as possible full-breathed, bright-eyed, and happy-hearted human creatures". We would place this ideal before our South African public men, and ask them to put away the feelings of race hatred and colour distinction. The great British Empire has not risen to its present proud position by methods of oppression, nor is it possible to hold that position by unfair treatment of its loyal subjects. British Indians have always been most devoted to their Sovereign, and the Empire has lost nothing by including them among its subjects. India is a vast storehouse of wealth to Great Britain, whilst thousands of its inhabitants are dying of starvation with scarcely a murmur. We venture to suggest that, if there were more of Queen Victoria's spirit of enlightenment put into the affairs of the Empire, we should be worthier followers of so great an Empire-builder.

Indian Opinion, 26-5-1906

[1] Edward Stanley Derby, (1799-1869), Prime Minister of England, 1852, 1856 and 1866

351. A RAILWAY GRIEVANCE ON THE N. G. R.[1]

A correspondent writes a letter to us in Gujarati, of which the following is a translation:

> By the train that left Durban at 6 p.m. on the 1st of May, 1906, an Indian gentleman, by name Mr. Kundanlal Shivlal Maharaj, took a second-class ticket for Ennersdale from Estcourt. He occupied a seat in a reserved compartment. But there being many second-class white passengers, Mr. Kundanlal was forced by the Station Master to leave his compartment, and go to a third-class one.

Our correspondent adds that this matter has been already brought by the aggrieved passenger to the notice of the General Manager. We hope that the complaint will be thoroughly investigated. There appears to be no reason to justify the alleged action of the Station Master at Estcourt.

Indian Opinion, 26-5-1906

352. THE NATAL LAND ACT

We are likely to be saved incidentally because of the whites this year as we were last year. We earlier published the news that, among the new Bills to be introduced in the Natal Parliament, one would relate to a new tax on land. That Bill was introduced, but, during examination by Committee, it was rejected. Mr. Rethman, a member of Parliament, moved that it should be rejected saying that, if it were passed, it would mean great loss to the people living beyond the Railway limits. The motion was passed, and the Natal Government sustained a defeat. This has created a situation in which the Ministry should normally resign; but they have not done so and have stayed on in office. However, the Land Tax Bill will remain in abeyance for the present. What will happen next remains to be seen, though there is reason to hope that the Bill will not be passed during the current session.

[From Gujarati]

Indian Opinion, 26-5-1906

353. A SIGN OF CHINESE AWAKENING

There is an island to the east of China named Weihaiwei. This island was given by the Chinese Government to the British Government on certain conditions, one of them being that the whites could occupy the island as long as Port Arthur was in Russian possession. Now, since Russia has been obliged to vacate Port Arthur, as a result of the Russo-

[1] Natal Government Railways

Japanese War, China has asked Britain to quit Weihaiwei. China refuses to pay the large expenditure incurred by Great Britain on the island. There is a likelihood of serious trouble arising out of this situation which may involve the Governments of China, Germany[1] and England.

[From Gujarati]
Indian Opinion, 26-5-1906

354. THE YELLOW PERIL

We have already published the news that some Japanese people are on a visit to Australia. Though they are treated with all courtesy, inwardly the Australian feeling appears to be anti-Japanese. It is said on the strength of a cablegram from Melbourne that the Australians rejected the invitation from the Japanese Naval Officer to visit a fighter vessel, for, according to the former Defence Minister of Australia, they could not trust the Japanese. The Minister fears that Japan might some day try to take possession of Australia. It appears from the leading journals of Australia that this view is held by many people there.

[From Gujarati]
Indian Opinion, 26-5-1906

355. WEALTHY AMERICANS

It is well known that America has a large number of wealthy persons. Generally speaking, the people of Europe are found to be foremost in amassing fortunes. With the help of new inventions and technology, the people of Europe see to it that the world market does not go out of their hands. Despite this, it would not be wrong to say that Europe lags far behind America in the race for wealth. There are, of course, some reasons for this. The people there are caught in the spell of money more than the Europeans, and it has been found that, once large quantities of wealth accumulate, they tend to go on increasing. This becomes understandable if a long-range view is taken. Now, some of these Americans have grown so inordinately rich—so we learn from a speech by President Roosevelt, the Head of the United States—that it will not be improper to enact a law enabling the State to limit this acquisition of wealth. He said that one might not think it wrong for a man to own one or two million pounds; but that hoarded fortunes have so exceeded this volume and so spread in extent that there is a large number of Americans who have a hundred times this sum. These

[1] After the capture of Kiaochow in 1897, Germany became interested as a colonial power in the off-shore islands of China.

multi-millionaires, President Roosevelt has found, might some day influence State authority. With the power of their money they can influence, as they deem fit, such institutions of the State as courts of justice, and elections to a municipality or the Senate. Such a development, it is felt, will be dangerous, and limiting by law the accumulation of wealth is contemplated. An individual may not hold more than £10,00,000, and whatever he may have in excess, he must distribute as he likes among his relatives and others. These thoughts of President Roosevelt have greatly perturbed American multi-millionaires.

[From Gujarati]

Indian Opinion, 26-5-1906

356. CHANGES IN THE CONDITION OF CHINA

It cannot be gainsaid that civilization is spreading day by day. Few can be ignorant of the effect produced on India by European civilization. This march of civilization has received a new impetus from the progress made by Japan, which has attracted the attention of the whole world. Wherever we go, we hear Japan being discussed. It is clear that in the circumstances, European civilization should influence China, a neighbour of Japan.

This civilization is burgeoning everywhere in China. On the one hand, thanks to the Japanese living in China, the attention of the people is drawn to education; on the other, hundreds of young Chinese go to foreign countries to learn the various arts and sciences. Some Chinese students have gone to Japan for all kinds of study, and others have gone as far as America for the same purpose. These students not only acquire proficiency in the arts and sciences, but the noteworthy thing is that they also bring home with them new ideas from America, Japan and Europe. The spirit of freedom blowing through those lands has thoroughly permeated their youthful blood. These students return home and lend their energies to promoting the progress of China.

By holding meetings and making speeches at various places, they have begun to impress their ideas upon people's minds. They start new journals and send out men in all directions to propagate their ideas. Thus, they educate the people in a number of ways and sow the seeds of freedom and ideas of reform in their minds. Neither do they appear to have left political reform out of their list. They are carrying on an agitation to keep foreigners out of their country, and this has set the white nations a-thinking. That the boycott of American goods is spreading with more or less success in some parts of the country is also due to these new ideas. In this agitation, some Japanese, too, are taking a leading part.

It is natural that everyone who desires the growth of civilization should welcome these signs of progress. Yet, there are some Europeans

who say that this enthusiasm has exceeded the limits of propriety and is likely to lead the people astray, and that it should therefore be kept under restraint. With this end in view, a writer has suggested that the Chinese Government should be persuaded to bring under control, and if possible eliminate, those journals which spread undesirable ideas and incite people to harmful acts.

[From Gujarati]

Indian Opinion, 26-5-1906

357. THE PRINCE OF WALES' VISIT TO INDIA

Their Royal Highnesses the Prince of Wales and his Consort have returned to England after their visit to India. A very big reception was held in London to welcome them. The speech made by the Prince on the occasion deserves to be noted. He expressed his thanks to the people of India and praised their loyalty. Concluding, he said:

> I believe that, if we show more sympathy for the people while carrying on the administration of India, it will be easy to rule that country, and I am sure that we shall be amply rewarded. Every Briton going to India can help to bring about better understanding between that country and England, and spread goodwill and a feeling of brotherhood.

It is necessary to understand the true significance of this speech. It shows us that the Prince has a kind heart and much sympathy for Indians. He has noticed the hardships we are made to suffer and, since he cannot directly intervene in matters of administration, he has no more than hinted that the Indian officials in India should think twice before resorting to any harsh measures in dealing with Indians. Mr. John Morley, Secretary of State for India, has endorsed the Prince's speech.[1] We have reason, therefore, to hope that some relief will soon be forthcoming to the people of India.

[From Gujarati]

Indian Opinion, 26-5-1906

358. DISCRIMINATION AGAINST INDIANS IN BASUTOLAND

Writing from Bloemfontein, a correspondent of *The Rand Daily Mail* says that trade licences will not be issued to Indians in Basutoland. The Government had at one time thought of issuing about twelve licences, but they have since given up the idea.

[From Gujarati]

Indian Opinion, 26-5-1906

[1] At a lunch given in honour of the Prince of Wales at the Guild Hall, London, on May 17, 1906, Mr. Morley, speaking after the Prince, endorsed the latter's plea "for a wider element of sympathy in the task of governing India". *Vide India*, 25-5-1906.

359. CHINESE LABOURERS

We mentioned earlier that General Botha had addressed a letter to the Transvaal Government regarding the outrageous behaviour of Chinese labourers towards Boer farmers.[1] Thanking him for the letter, Sir Richard Solomon has expressed his regret for the cruel deeds of the Chinese. He has promised to ask the mine-owners to ensure that the Chinese are unable to obtain explosive materials, and that every effort will be made to improve the conduct of the Chinese. He sincerely hopes that atrocities of this kind will cease when the recommendations regarding stricter regulation of the working conditions of the Chinese are implemented.

[From Gujarati]
Indian Opinion, 26-5-1906

360. THE SHOPS CLOSING ACT

In the Natal Parliament, Mr. Rethman moved an amendment to the Shops Closing Act, enabling the rural areas to fix any day of their choice for a half-holiday. To this, the Natal Government replied that no changes in the Act were contemplated for at least a year. From this, it would appear that a change of some kind in the law would ultimately be effected.

[From Gujarati]
Indian Opinion, 26-5-1906

361. THE NATAL SMALLPOX ACT

We have earlier reproduced the provisions of this Act in this journal. We have also mentioned the protest of the whites against the stringency of the Act. This matter has attracted much attention and is being widely discussed.

The opponents of vaccination say that it cannot be asserted that, by getting oneself vaccinated against smallpox, one will become absolutely immune to the disease. Not only this, vaccination has often done harm also. Instances are known of small children who were found to have contracted syphilis after vaccination. Besides, one strange instance was cited of a child who, because of vaccination, did not at all grow physically for several years. On the strength of several

[1] *Vide* "The Question of Repatriating the Chinese", p. 322.

such examples, the opponents of the Vaccination Act say that they cannot believe that any benefit is to be had from vaccination. They therefore desire that a "conscience clause" be added to the provisions of the Act to say that the Smallpox Act will not apply to persons who declare on oath before a magistrate that they conscientiously object to vaccination. There is such a provision in the British law also. The whites are holding meetings and carrying on heated discussions to secure the adoption of a similar clause here. As a result of all this, the clause may be added.

Looking at the matter from the Indian standpoint — quite apart from whether vaccination does good or harm — one fact is certain that, if the proposed clause is not added, some Indians may have to suffer some ill-treatment.

[From Gujarati]

Indian Opinion, 26-5-1906

362. JOHANNESBURG LETTER

May 26, 1906

Lord Selborne's Reply regarding Permits

To the communication that the British Indian Association had again addressed him, Lord Selborne has replied saying that for the present he has nothing more to add to his previous answer. This means that women will have to take out permits and that only children under twelve will be able to enter.

The Remedy

This reply will cause much disappointment. However, women need not take out separate permits but the struggle about children should continue.

The Request of the British Indian Association

The Association has addressed a letter to Mr. Chamney, the Registrar, demanding that permission should at least be granted to the boys who are twelve years old and are waiting at various ports to enter the Transvaal. The Association says that the number of such boys is not likely to exceed a hundred.

An Important Permit Case

While official pressure is thus being exerted against us, the law is in our favour. There is a boy under 12, named Adam Ebrahim, whose father is at Johannesburg. He has come with a "Letter of Notification". He has not yet got a permit. He has not been to Pretoria. Meanwhile, he was charged with failure to take out a £3 register and the case was heard by Mr. Cross yesterday. Mr. Gandhi, who appeared on behalf

of the boy, pleaded that it was not necessary for children to take out such a register in any case not for a person who did not himself carry on a trade. The Magistrate admitted the plea and dismissed the case.

The Consequence of the Case

If no appeal is preferred against the Magistrate's decision, it will mean that, for boys who are already in the Transvaal, there will be no difficulty in remaining there even without a permit or a register. Really speaking, the decision in the case does not give a ruling about permits; but it can be so construed by implication. It may perhaps be necessary to have a test case about permits for children.

The Tram Case

The discussion on the matter is still going on. The Town Council has not yet answered the question put to it by Mr. Lane. Mr. Gandhi has addressed a letter on the subject to the *Leader* to the following effect.[1]

You say that the Magistrate's decision is unsatisfactory, because it would enable a person, however unclean, to travel by a tram and that even the Kaffirs would be able to do so. But the Magistrate's decision is quite different. The Court has declared that the Kaffirs have no legal right to travel by the trams. And, according to tram regulations, those in an unclean dress or in a drunken state are prohibited from boarding a tram. Thanks to the Court's decision, only clean Indians or Coloured people other than Kaffirs can now travel by the trams.

But even this victory that we have achieved has been snatched away from us by the Council in an indecent manner. For, while the Magistrate gave his decision on Friday, on Saturday appeared the news in the *Government Gazette* that the Town Council had withdrawn the tram regulations. This means that an Indian will no more be able to file a suit under the bye-laws; and the Council may perhaps be under the impression that the Smallpox Act of 1897 will now apply to Indians.

It has been a common belief that the British people never stab any one in the back. But I feel—and other tax-payers must also feel the same—that the Town Council has stabbed the Indian community in the back. You express sorrow at the decision in the case; but, even apart from the instances mentioned by me, there is nothing to be sorry for, at least for the present. But do you approve of the crooked way in which the Council has brought about this result ?

Now commences the third stage of the tram case.

Railway Hardships

Disabilities on the railways have ever been troubling us. As I said earlier, the General Manager had written to say that Coloured people might not travel even by the 5-5 afternoon train from Pretoria to Johannesburg. To the Association's protest against this, the General Manager has now replied saying that the restrictions against the non-whites with regard

[1] *Vide* "Letter to *Transvaal Leader*" pp. 325-6.

to that train will be relaxed. The same relaxation has now been asked for in regard to the train leaving Johannesburg at 4-30 in the afternoon. Even if a favourable reply to this is received, the prohibition against travelling by the morning train between Pretoria and Johannesburg will continue for the present.

The Deputation to England

Letters were addressed to Sir William Wedderburn and other well-wishers of ours, inquiring whether or not we should send a deputation to England. Sir William has sent a cablegram in reply, asking us to wait till his letter reaches us. We expect to get the letter by June 15.

An Indian Murdered

Today's papers report the murder of an Asiatic, named Hyder, last night by an unknown person near Cleveland Station. He seems to have been stabbed with a dagger. It is not known who committed the crime and why. The papers report that Hyder was poor and in search of employment.

New Location for Kaffirs

Preparations are being made to transfer the Kaffirs quickly to Klipspruit. The municipality has even framed the regulations in that regard. It is, however, reported that the Kaffirs, instead of going to the Location, continue to stay on with their masters in the town, though some of them have acquired land in the Location.

New Law for the Municipality

The Johannesburg municipality wants a new law to be passed during the current session of the legislature. It has asked for, among other things, authority to provide for Asiatic Bazaars also.

[From Gujarati]

Indian Opinion, 2-6-1906

363. LETTER TO LAKSHMIDAS GANDHI[1]

JOHANNESBURG,
May 27, 1906

RESPECTED BROTHER,

I have your letter of the 17th April. I do not know what to say. You are prejudiced against me. There is no remedy against prejudice. I am helpless. I can only reply to your letter in full.

1. I have no idea of separating from you.
2. I claim nothing there.
3. I do not claim anything as mine.

[1] The letter was translated from Gujarati by V. G. Desai who tells us that it was revised by Gandhiji himself.

4. All that I have is being utilized for public purposes.

5. It is available to relations who devote themselves to public work.

6. I could have satisfied your desire for money if I had not dedicated my all for public use.

I have never said that I have done much for brothers or other relations. I gave them all that I could save; and this I have mentioned not out of pride, and only to friends.

Rest assured that I will cheerfully assume the burden of supporting the family in case you pass on before me. You need have no fear on that score.

I am not now in a position to send you money as you desire.

It is well if Harilal is married; it is also well if he is not. For the present at any rate I have ceased to think of him as a son.

I am willing to go to India to attend Mani's wedding if at all possible. But I cannot give you any idea of my present condition. I am so hard pressed for time that I scarcely know what to do. Please cable the date of marriage, so that if possible I might hold myself in readiness to go.

I might perhaps inform you that I am in debt to Revashankarbhai.

You may repudiate me, but still I will be to you what I have always been.

I do not remember that I expressed a desire to separate from you when I was there. But even if I did, my mind is now quite clear, my aspirations are higher and I have no desire for worldly enjoyments of any type whatever.

I am engaged in my present activities as I look upon them as essential to life. If I have to face death while thus engaged, I shall face it with equanimity. I am now a stranger to fear.

I like those who are pure in heart. Young Kalyandas, Jagmohandas's son, is like Prahlad in spirit. He is therefore dearer to me than one who is a son because so born.

M. K. Gandhi : *Selected Letters*: (First Series), Navajivan, 1949

364. STATEMENT PRESENTED TO CONSTITUTION COMMITTEE[1]

[JOHANNESBURG,
May 29, 1906]

WHITE PREDOMINANCE

(1) The British Indian Association has always admitted the principle of white predominance and has, therefore, no desire to press, on behalf of the community it represents, for any political rights for the sake of them. But past experience shows that in a Colony enjoying self-govern-

[1] This along with the addenda was presented to the Constitution Committee. *Vide* "Johannesburg Letter", pp. 322-5.

ment, communities that have no voice in the choice of representatives have been very largely neglected.

History of Boer Anti-Indian Legislation

(2) There is in the Transvaal, at the present moment, an estimated population of over 12,000 British Indians. Before war, the adult Indian population was 15,000.

(3) The first Indian settlers found their way into the Transvaal in the early 'eighties.

(4) They were then free from restrictions of any kind whatsoever.

(5) But by their successful enterprise, they aroused the jealousy of white traders and soon there sprang up an anti-Indian agitation initiated by chambers of commerce wherein the British element was predominent.

(6) As a result, the Government of the late President Kruger approached Her late Majesty's Government for permission to pass legislation restrictive of the liberty of British Indians. They proposed to interpret the term, "Natives", occurring in the London Convention, to include Asiatics.

(7) This contention Her Majesty's advisers rejected but they were not unwilling, for "sanitary reasons", to sanction legislation restricting Asiatics as to their residence to Bazaars or Locations with the proviso that British Indians of the trader class should be left entirely free.

(8) As a result of these negotiations, Law 3 of 1885 as amended in 1886 was passed.

(9) Immediately it became known, a strong protest went up from British Indians.

(10) It was then realized that the Law was, contrary to the expectations of Her late Majesty's Government, sought to be enforced against all British Indians.

(11) Then followed a series of strong representations by Her late Majesty's Government, addressed to the late Boer Government, culminating in the matter being submitted to the arbitration of the then Chief Justice of the Orange River Colony.[1]

(12) Between 1885 and 1895, therefore, the Law 3 of 1885 practically remained a dead letter, although the Boer Government always threatened to enforce it.

(13) The award of the arbitrator did not define the legal position. But it left the question of interpretation of Law 3 of 1885 to the Courts of the late Republic.[2]

(14) British Indians again appealed to the British Government for protection.

(15) Mr. Chamberlain, whilst he declined to disturb the award, did not abandon the case for the Indian subjects of Her late Majesty. In his dispatch dated the 4th September 1895, he stated:

[1] 1888, *vide* Vol. I, p. 372.

[2] *Ibid*

> In conclusion, I would say, that whilst desirous loyally to abide by the award, and to allow it to close the legal and international question in dispute between the two Governments, I reserve to myself the liberty later on to make friendly representations to the South African Republic as to the traders, and possibly to invite the Government to consider whether, when once its legal position has been made good, it would not be wise to review the situation from a new point of view, and decide whether it would not be better in the interests of its own burghers to treat the Indians more generously, and to free itself from even the appearance of countenancing a trade jealousy which, I have some reason to believe, does not emanate from the governing class in the Republic.

This was in 1895.

(16) Owing, then, to such representations, which continued up to the time of the war, the Law in question was never effectively enforced, and Indians traded and lived where they liked, in spite of the prohibition contemplated by it.

(17) But an enforcement of the Law being imminent in 1899, it was, among other things, a subject for discussion at the Bloemfontein Conference, which preceded the war. The subject was considered so important by Lord Milner that, when the question of franchise to the Uitlanders seemed to admit of a settlement, Lord Milner cabled that the question of the status of coloured British subjects was still outstanding.

(18) Lord Lansdowne declared that it was a contributory cause of war.

(19) At the close of the war, and at the time of the Vereeniging compact, His Majesty's Government informed the Boer representatives that the status of Coloured persons should be the same in the two Colonies as at the Cape.

The Position Today

(20) But today the position is worse than before war.

(21) The Progressive party, from which at least Indians as fellow-loyalists and fellow-sufferers before war may claim a fair measure of justice, has stated it as an item of its programme that the liberty of British Indians should be specifically restricted. If its desires were carried out, the position, bad as it is today, would be much worse then.

(22) From the Dutch party, it is now impossible to expect any measure of reasonableness.

(23) Under Responsible Government, then, British Indians and others similarly situated, unless they are specially protected, stand practically little chance of justice being done to them.

Remedy

(24) It would, therefore, seem that the granting of the franchise to British Indians would be the most natural means of protecting their interests.

(25) It has been urged that the treaty of Vereeniging precludes the possibility of any such provision being made.

(26) But it is respectfully submitted that the term "Natives", whatever else it may mean, can never include British Indians.

(27) The Statute-book of the Colony is replete with laws which deal with the "Natives", but which admittedly do not apply to Asiatics or British Indians.

(28) The fact that Law 3 of 1885 deals specially with Asiatics and does not apply to the "Natives" shows, too, that the Transvaal laws have almost invariably distinguished between "Natives" and "Asiatics".

(29) Indeed, whereas Natives can, owing to the meaning that the term has borne, hold landed property in the Transvaal, Asiatics cannot.

(30) Thus, therefore, so far as the Vereeniging compact is concerned, there appears to be no justification whatever for depriving the Indians of the franchise.

(31) But the Committee of the British Indian Association is well aware of the almost unanimous hostility of white races against provision being made in the Constitution for a grant of the franchise to British Indians.

(32) If, therefore, such a grant be considered impossible, it is absolutely essential that, apart from the orthodox reservatory clause as to the power of veto over all *class* legislation, there should be a special clause which shall be a living reality, and which, instead of being exercised only on the rarest occasions, should ensure the fullest protection to the British Indian settlers as to their right to own landed property, freedom of movement, and freedom of trade, subject to such safeguards of a *general* nature as may be considered necessary, and are made applicable to all, irrespective of race or colour.

(33) Then, and only then, will it be possible, apart from the inherent right that every British subject should have to ordinary civil rights in British dominions, for His Majesty's advisers to redeem the promises specifically made to British Indians as to their status in the Transvaal.

(34) Much of what has been stated above applies to the position of British Indians in the Orange River Colony.

(35) There the Indian has no rights, save as a domestic servant. An elaborate anti-Asiatic law deprives him of practically all civil liberty.

(Signed) ABDUL GANIE
PRESIDENT, B. I. A.
E. S. COOVADIA
H. O. ALLY
EBRAHIM H. KHOTA
E. M. PATEL
E. M. JOSSEP
J. A. PATEL
M. K. GANDHI

APPENDIX A

For authorities in support of the facts cited in the foregoing statement, the Deputation beg to refer the Constitution Committee to the following :

1. *Transvaal Green Book*, No. 1 of 1894.
2. *Transvaal Green Book*, No. 2 of 1894.
3. *Blue Book on Grievances of British Indians in the Transvaal*, published in 1896.
4. *Blue Book* containing correspondence relating to British Indians in the Transvaal—Cd. 2239.
5. *Laws and Volksraad Resolutions*, &c., relating to "Natives and Coolies" (a separate Government publication).
6. Chapter XXXIII, p. 199, *Laws of the Orange River Colony.*

APPENDIX B

The following is a comparison of the position of British Indians in the Transvaal under Boer and under British rule.

Before the War	*Under British Rule*
(1) Indians were free to enter the country without restriction.	(1) No immigration permitted other than of *bona-fide* refugees who left on the eve of the war, and they are only admitted gradually and after long delay for the consideration of their applications. Permits are required even for little children, and every Indian has to attach his thumb-impression on these documents.
(2) Payment of registration fee not enforced.	(2) Registration fee of £3, on pain of fine not exceeding £100, or imprisonment for not more than 6 months, strictly enforced. Attempt is being made now to exact registration fees from Indian women and require them to take out permits.
(3) Landed property could be held in the names of Europeans.	(3) The law against Asiatics holding real property strictly enforced, even in cases where land is required for religious purposes.
(4) Indians held 99 years' lease for landed property in Location or bazaar in Johannesburg.	(4) These leases have been expropriated under the Insanitary Area Commissioner's Report, without the owners receiving equal title elsewhere in Johannesburg in a suitable position.
(5) No separate inquisitorial Asiatic Department.	(5) Office of Registrar of Asiatics established; is arbitrary in procedure and delays the settlement of individual applications, permits, etc.
(6) Many harsh legislative restrictions allowed to remain inoperative owing largely to British intervention.	(6) Inoperative Boer enactments brought into force, and rendered more stringent by Ordinances or Executive Orders, and British Indians offensively classed in legislation with Kaffirs, savages, and semi-civilised races.

The following addendum was prepared at the instance of the Constitution Committee.

Civil Disabilities

I. The Commissioners seem to be under the impression that British Indians have full rights in the Transvaal.

II. Unfortunately, as will appear from the schedule attached to the statement, British Indians have very few civil rights; we venture to recapitulate the civil disabilities:

No Ownership of Land

III. (1) British Indians cannot own landed property, including even long leases, except in Locations or streets set apart for them.

(2) There are no streets set apart, but there are Locations far away from town, like the Continental Ghettos. And in these, too, except in one or two places, Indians are only monthly squatters. In Pretoria and Potchefstroom alone do they receive twenty-one years' leases. In Germiston, they have even received notices not to receive any tenants on their Stands. The notice reads as follows:

> You are hereby notified that you are not permitted to sublet rooms to natives or others. Such subletting to any person is a breach of the contract under which you are allowed to hold a stand, and renders you liable to have your stand permit cancelled, and yourself expelled from this location.

(3) So much is this prohibition carried out in practice that Indians are unable to have their mosques transferred in the names of Indian trustees.

Registration Fee

(4) Indians have to pay a registration fee of £3 on arrival in this country. The Government has now threatened even to require women and children to take out registration certificates.

Foot-paths and Tramways

(5) Indians in Pretoria and Johannesburg are prohibited by law from walking on the foot-paths. They, however, do make use of them on sufferance. An attempt was only recently made to prevent them from using the foot-paths.

(6) Indians are not allowed to make use of the tram-cars in Pretoria.

(7) They are prevented in Johannesburg from riding in the ordinary cars but special trailer cars are occasionally run for Coloured people.

(8) It was contended on behalf of the Indians that, under the ordinary by-laws, they could insist on riding in the tram-cars. The Town Council opposed the contention on the ground that certain smallpox regulations that were promulgated by the late Dutch Government in 1897 were still in force. The matter was twice tested before the Magistrate at Johannesburg and, each time, the Town Council lost. It has, therefore,

now met the Indians by cancelling the by-laws regulating the traffic on the tram-cars. In order to gain its end, the Town Council is now running the Municipal cars without any by-laws whatsoever. Whether under the common law Indians will be able now to make good their right or not is an open question.

It is worthy of note that the above-mentioned cancelling by-law was surreptitiously published in the following manner:

> Prior to the 9th May, 1906, in accordance with Section 22 of Proclamation 16 of 1901, a notice had been published in a newspaper circulating in the Municipality, setting forth the general purport of these proposed amendments and stating that they were open to inspection at the office of the Council.

On the 9th inst., a meeting of the Town Council was held. The notice was apparently advertised in such a manner as to render it almost a matter of impossibility for parties concerned to challenge the proposed amendments, owing chiefly to the fact that no report of them had appeared in the ordinary columns of the newspapers, and to the further fact that, as will be seen, the proposal came through the Works Committee, instead of the Tramways and Lighting Committee, which would ordinarily concern itself with Tramways Regulations as it has done in the past.

On the occasion of the aforesaid Council meeting, the Works Committee brought forward the proposed amendment on the following pretext:

> Since the Tramway System was taken over by the Municipal Council, the Traffic Bye-laws applicable to tram-cars are no longer required as they were only intended for application to private tram-cars. It is proposed, therefore, that the Bye-laws should be amended accordingly.

The proposals were submitted at the end of a long agenda, when even the most vigilant Councillor might have been lulled into a sense of security, especially in view of the seemingly innocuous nature of the preamble and passed without comment. A notice appeared in the *Government Gazette* of the 18th inst., adopting the proposed cancelling bye-law, and giving it the force of law. The whole matter, therefore, was settled practically behind the backs of the British Indians within a period of nine days, for all practical purposes, without warning.

(9) Attempt is now being made to expropriate what is known as the Malay Location in Johannesburg, which has a large Indian population, and to send the Indians to a place thirteen miles away from Johannesburg.

Permit Ordinance

(10) Whereas formerly Indians were free to immigrate into the Transvaal, at present the Peace Preservation Ordinance, which is purely a political law, is being wrested from its legitimate purpose to prevent Indians from entering the Transvaal. Not only are new Indians being prevented from entering the country, but the following exceptional hardships are imposed on all residents of the Transvaal:

(a) There are no published regulations regarding the administration of the Ordinance.

(b) It changes according to the whims or prejudices of the officials administering it.

The following is, therefore, the practice in vogue today:

(i) Indians, who were in the Transvaal before war and who paid £3 for registration, are prevented from returning, unless they can prove absolutely that they left on the outbreak of hostilities.

(ii) Those who are allowed to enter the Transvaal have to put their thumb-impressions upon their applications, as also upon their permits, and they are required to put them each time they enter the Transvaal. This is applicable to all Indians without regard to their position and without regard to the fact whether they can sign their names in English or not. An England-returned Indian gentleman, who speaks English well, and who is a very well-known merchant, was twice obliged to put his thumb-impression.

(iii) Wives and children under twelve years of such Indians are now required to take out separate permits.

(iv) Children, twelve years old or over, of such Indians are not allowed to join or accompany their parents.

(v) Indian merchants are not allowed to import any trustworthy clerks or managers, unless the latter are themselves such as fall within the first clause hereinbefore referred to.

(vi) Even those who are allowed to enter have to wait for months before they are permitted to enter the country.

(vii) Even temporary permits are refused to Indians of respectability. Mr. Suliman Manga, who is studying for the bar in London, wishing to pass through the Transvaal on his way to Delagoa Bay, was refused a permit when his case was considered as of a British subject. When it became known that he was a Portuguese subject, for fear, evidently, of international complications, he was granted a temporary permit.

(viii) Such is the terrible position of British Indians who are resident in the Transvaal. It is growing daily worse, and unless the Imperial Government is willing and ready to protect them, the ultimate result can only be slow extinction.

What Europeans Will Do

(11) The following facts will shew what the Europeans of the Transvaal will do, if they are left to themselves :

(a) The National Convention, which specially met to consider the Asiatic question, passed the following resolutions:

> (1st) That having regard to the preponderance of the native races in this country, the difficulties surrounding the settlement of native policy, the necessity for protecting the existing European population and encouraging further European immigration, this Convention affirms the principle that Asiatic immigration should be prohibited except under the provisions of the Labour Importation Ordinance.
>
> (2nd) That this Convention, having regard to the importance of arriving at a permanent and conclusive settlement of the whole question and preventing

any further attempts to reopen the matter, recommends that the Government be invited to take into consideration the advisability of removing into bazaars all Asiatic traders, compensation being provided for such as may have vested interests which have been legally acquired prior to the war.

(3rd) That this Convention, recognising the grave danger resulting from the continued issue of trading licences to Asiatics permitting trade outside bazaars, requests the Government to take immediate steps to pass the necessary legal enactments to prevent any further issue of such licences and that with regard to the appointment of any proposed Commission to deal with the Asiatic question, this Convention urges upon the Government the necessity for including therein men, other than officials, with a thorough knowledge of existing conditions in South Africa.

(4th) That this Convention affirms its opinion that all Asiatics should be required to reside in bazaars.

(b) The following is the declared policy of the Progressive party:

The restriction of immigration of Asiatics into the Transvaal, except in the case of indentured labourers who are subject to repatriation at the expiration of their contract, and the regulation of Asiatic trading licences.

(c) The people of Potchefstroom once met together, created a disturbance, and even broke the windows of Indian stores.

(d) The Europeans of Boksburg wish to remove Indians from their present Location, which they occupied before war, to a site far away from town where trade is utterly impossible, and they have more than once threatened to use physical force should an Indian attempt to open a store outside the Location.

Past Experience — A Parallel

(12) In the main statement, the Deputation have urged that past experience shows that the deprivation of the franchise and the orthodox power of veto have been totally inadequate to protect Indians.

(13) We will venture now to give instances :

In Natal, after the grant of Responsible Government, Indians were virtually deprived of the franchise. The late Sir John Robinson, in supporting the Bill, said that, by disfranchising Indians, every member of the Natal Parliament became a trustee for Indians.[1]

Soon after the Bill became an Act of Parliament the trust was thus discharged :

(a) An annual poll-tax of £3 was imposed on all indentured Indians, who entered after its promulgation, to be payable on the termination of their indentures, unless they returned to India or re-indentured themselves.

(b) An Immigration Restriction Act was passed prohibiting all who did not possess a knowledge of one of the European languages from entering Natal unless they were formerly domiciled in the Colony.

(c) A Dealers' Licenses Act was passed with absolute powers to the Town Councils or Licensing Boards to control trade licences. It ousts the

1 *Vide* Vol. III, p. 362.

jurisdiction of the Supreme Court. Ostensibly applying to all traders, it is enforced only against Indians. And under it, no Indian, however, well established, is ever secure as to his license from year's end to year's end.

Against all this legislation, the Imperial Government has felt powerless to protect British Indians.

THE UNIQUE POSITION IN THE TRANSVAAL AND THE ORANGE RIVER COLONY

(14) Whether Indians are granted the franchise under the Constitution or not, a special clause protecting vested interests is absolutely necessary.

(15) No Colony on the eve of receiving self-government has presented the features that the Transvaal and Orange River Colonies present.

(16) All the causes for which the war took place have not been removed. Anti-Indian legislation of the Transvaal was one of the causes.

(17) Promise made by the Home Government that Indians and other Coloured people in the two Colonies should be treated the same way as those at the Cape has not yet been redeemed.

(18) Negotiations were actually pending between the Home Government and the Local Governments as to the removal of the disabilities of British Indians when His Majesty's new Ministers decided to grant Responsible Government to the two Colonies, and the negotiations have, therefore, been suspended or dropped altogether.

(19) The position at the Cape is that Indians have equal rights with the Europeans, i.e.,

(a) They have the same franchise rights as the Europeans.

(b) They are under the same Immigration Restriction Act as the Europeans.

(c) They have equal rights with the latter to hold landed property and to trade.

(d) They have full freedom of locomotion from place to place.

Dated at Johannesburg this 29th day of May 1906.

Indian Opinion, 2-6-1906

365. INDIAN PASSENGERS

Of late our Gujarati correspondence columns have been full of complaints from Indian deck-passengers who so largely patronise the steamers of the German East Africa Company. Our correspondents have complained of over-crowding, insufficient sanitary arrangements, and general want of consideration for deck-passengers. Some of them state that the passengers are very much inconvenienced whenever the steamers touch any port. They are then without any cover, and are called upon to shift their luggage. We draw the attention of the local agents of the Company to these complaints. In many respects, we are aware that a certain amount of inconvenience is inseparable from the mode of travelling that the poor

Indian passengers are compelled to select. It is impossible to expect much from accommodation on deck. At the same time, it is a notorious fact that the deck-passenger traffic is the most lucrative and least troublesome. It, therefore, behoves the Company's managers to ensure as much comfort as is possible in the circumstances for the deck-passengers, if only for mercenary reasons.

Indian Opinion, 2-6-1906

366. A PERMIT CASE

Our Johannesburg correspondent reports a case tried the other day before Mr. Cross at the Johannesburg Court. One Adam Ebrahim, a lad under twelve years, was brought before the Magistrate for being in the Transvaal without a registration certificate.

The form of prosecution was somewhat novel, for hitherto all such cases were tried under the Peace Preservation Ordinance. Whilst escape under it was less easy, there was no penalty in the nature of a fine or imprisonment, whereas a conviction under Law 3 of 1885 renders the accused liable to a fine of not more than £100 or not more than six months' imprisonment, with or without hard labour. Happily, counsel for the accused had no difficulty in showing that the boy was not liable to pay the registration fee on entering the Transvaal.

Thus, the more galling the shackles imposed by the Government upon the Indian, the heavier, it would appear, is the liberating blow delivered by the judicial hammer. The Judiciary protects what the Executive would gladly destroy. Will Lord Selborne still say that the administration of the Law, which has now been demonstrated to be illegal, is reasonable and is being carried on with due consideration for those affected by it?

Indian Opinion, 2-6-1906

367. THE LATE DR. SATHIANADHAN

We regret to have to chronicle the news of the death of the late Professor Sathianadhan of Madras. Our exchanges from India are full of appreciation of the deceased Professor's work. Dr. Sathianadhan died in harness, and in the prime of life. Brilliant as his career was, it was a life full of much greater promise.

The deceased gentleman was an M. A., LL. B. of Madras University, and [a] very conscientious convert to Christianity. He was respected by all classes for his sterling qualities both of the head and of heart, and so much enjoyed the confidence of the Government, that he was appointed to officiate as Deputy Director of Public Instruction. The death

of such an Indian removes from Indian society a figure it can ill afford to lose. We beg to tender to the family of the deceased gentleman our respectful sympathy in their loss, which is indeed a national loss.

Indian Opinion, 2-6-1906

368. IMMIGRATION LAW IN THE CAPE

It appears from what our Cape correspondent reports that there will no longer be any difficulties for Indians on a temporary visit to the Cape. There has so far been in the Cape no provision for temporary visits such as exists in Natal.

However, according to our correspondent, the amendments to the Immigration Act that have come up for consideration before the present Parliament will cause much hardship. As we have said earlier, under the new Act, if it is passed, the authority to decide as to who has acquired domicile will pass from a court to an executive officer. If this happens, it will be a very serious matter. Moreover, it is at present possible for a man to enter the Cape if he has South African domicile; but under the new Act, just as in Natal, only a Cape resident will be able to enter the Cape. The British Indian League ought to resist both these changes. We hope the members of the League will move in the matter immediately.

[From Gujarati]

Indian Opinion, 2-6-1906

369. SIR HENRY COTTON AND INDIANS

Our readers will see from an extract we print from *India* how Sir Henry Cotton, at one time Commissioner of Assam, is putting up a great fight for us in Parliament, and for this we are all grateful to him. We must inform our readers on this occasion that the working force behind Sir Henry Cotton is the British Committee of the [Indian National] Congress. Sir Henry tables those questions that are prepared by the Committee, and the leading members of the British Committee are Sir William Wedderburn and Dadabhai Naoroji, the Grand Old Man of India. We are therefore under a deep obligation to that Committee also.

[From Gujarati]

Indian Opinion, 2-6-1906

370. THE NATAL REBELLION

We publish elsewhere a translation of a letter an old Colonist has addressed to *The Times of Natal*. The substance of it is that the Indians are not able to go to the battle-field, but that they can assist the men at the front with the requisite amenities. It is necessary that Indians help in the way they did when a fund was started at the time of the Boer War. It will be good to collect some money and send it to the Government or to some Fund that might have been started. We shall then be considered to have done our duty to that extent. We hope the leaders of the community will take up this matter.

[From Gujarati]

Indian Opinion, 2-6-1906

371. A NEW SAN FRANCISCO

It is certainly not for the first time that the reader is reminded of the proverb, "God can do what He wills within the instant." History furnishes many examples of a pauper becoming wealthy and a wealthy man turning pauper in a moment. But this rule is not confined to individuals. The rule, "from the palace to the hovel", and *vice versa* can apply equally to a whole city or country. The recent San Francisco earthquake is a case in point. Three hundred thousand persons — why, even more— were in a moment rendered homeless! Thousands, who were used to living in comfort and the luxury of big palaces and did not have to tell day from night, were left without even a rickety hut. Spacious and well-furnished mansions and beautiful streets, razed to the ground in a moment and reduced to a heap of dust, have paid their obeisance to Time. A barren desert has spread over the site once covered by gardens and villas. Countless men have been deprived of shelter and food in the twinkling of an eye. Who, having seen this, would not wonder at the mysterious ways of God? By far the more astonishing fact is, however, quite a different one. True bravery consists in standing erect and boldly in the face of the cruel blow dealt by such a fearful catastrophe. This colossal task has been undertaken by the people of San Francisco. Well known for its perseverance and industry, the American nation is out to prove its mettle. The task of reconstructing a new and more splendid San Francisco without the aid of the outside world and in the face of divine wrath has begun. Plans are being drawn up to add to the world's beauty by recreating a more beautiful San Francisco. Huge structures are being erected for bringing a new celestial city into being. Thousands of workmen have been invited from distant lands. The quantity of steel ordered for the

purpose is so large that it might lead to a boom in the country's iron market. Plans are being drawn up to construct a new dock of the latest style, the like of which will be found only in a few parts of the world. The streets are so planned that they will further add to the charm of the new city. The people there are thus fully prepared to meet this natural calamity in a variety of ways. With the help of electric power generated from waterfalls, human intelligence has been able to run railway trains and factories thousands of miles away. It has been able to produce ships and balloons voyaging across the high seas and reaching the highest regions of the sky. It is also conducting experiments to communicate with men on other planets of the Universe. But the selfsame intelligence cannot feel the tremors within the bowels of the earth and is unable to prevent the occurrence of earthquakes. This, indeed, is a matter for sorrow, but it should certainly gladden our hearts to see how man faces such shocks with courage.

[From Gujarati]

Indian Opinion, 2-6-1906

372. LETTER TO COLONIAL SECRETARY

DURBAN,
June 2, 1906

TO
THE HONOURABLE THE COLONIAL SECRETARY
PIETERMARITZBURG

SIR,

We have the honour to acknowledge your letter of the 30th ultimo with reference to the offer of the Natal Indian Congress to raise an Ambulance Corps.[1]

The Committee of our Congress is grateful to the Government for accepting the offer. Our Committee has, as desired by the Government, placed itself in communication with the Principal Medical Officer, Natal Militia. Copy of said communication is herewith enclosed.[2]

We have the honour to be,
Sir,
Your obedient servants,
O. H. A. JOHARI
M. C. ANGLIA
JOINT HONORARY SECRETARIES, N.I.C.

Indian Opinion, 9-6-1906

[1] *Vide* "Letter to Colonial Secretary", p. 292.
[2] *Vide* the following item.

373. LETTER TO PRINCIPAL MEDICAL OFFICER

DURBAN,
June 2, 1906

TO
THE PRINCIPAL MEDICAL OFFICER
NATAL MILITIA
PIETERMARITZBURG

SIR,

The Natal Indian Congress has received from the Government a communication accepting the offer of an Indian Ambulance Corps.

As a preliminary trial, the Government state that the Corps should consist of 20 stretcher-bearers. Our Committee has the honour to inform you that 20 men will be at your disposal at the time and place that you may be pleased to advise. We take it that you will make the necessary arrangements for equipment, uniform and transport.

The Government have informed our Committee that the pay of the Corps will be one shilling and six pence per day per man. When the offer was made, it was the intention of the community represented by the Congress to pay the men. Our Committee, therefore, trusts that the Government will be pleased to allow the Indian community to pay their men. At the same time, we beg to submit that it is not possible to raise the Corps on a salary of less than one pound per week, which sum, we are instructed to say, the Indian community is willing to pay as long as the services of the Corps are required.

We beg further to add that most of the men, whilst in every respect willing to work, are untrained, for no fault of their own, for the purpose of an Ambulance Corps.

We have the honour to remain,
Sir,
Your obedient servants,
O. H. A. JOHARI
M. C. ANGLIA
JOINT HONORARY SECRETARIES, N.I.C.

Indian Opinion, 9-6-1906

374. JOHANNESBURG LETTER

June 6, 1906

THE STORY OF THE TRAM CASE

The tram case has taken a new turn. A keen tussle is going on between the Town Council and the Indians. Neither side would accept defeat.

While, on the one hand, the Town Council abolished the tramway regulations on the excuse that none were necessary, a committee of the Council has, on the other, framed new ones. From information received from confidential sources, I learn that Mr. Duncan[1] attended the Committee meeting. The Committee expressed the opinion that there should be a provision in the Regulations forbidding Indians from travelling in tram-cars; that they might, if they so desired, use separate trams; and that only Indians with special permits could travel by all the trams. Mr. Duncan, it is said, opposed this view of the Committee, saying that, just as the Indian community had remained patient in the matter of the railway, so they would remain patient in the matter of the tramway too, if some concessions were granted. If further harassment were caused, they would be provoked and the result would be far from desirable. The Committee's work of framing Regulations is still going on. In a few days, when these are published, we shall know more about them.

The Town Council has thus been active in the matter. Meanwhile, the Indian community has taken a step forward. Mr. Abdul Gani, the Chairman of the British Indian Association, and Mr. Polak, the present English Editor of this journal, got into a tram. The conductor refused to allow Mr. Abdul Gani to sit, but he said that he would not get off the tram unless forced to do so. The conductor called in the police, who also got the same reply. At last, the Tram Inspector arrived and spoke politely to Mr. Gani. As a result of the talk, it was decided that Mr. Abdul Gani would be prosecuted on a charge of having obstructed the tram-car. Mr. Abdul Gani and Mr. Polak agreed to this and got down. When this was reported to the Town Council by the Inspector, the Town Clerk immediately wrote a note to Gani and Polak requesting them to see him. He told them that the Indians had done enough, and that they should not further harass the Council; that the Regulations in the matter would be published in a few days; and that, if the Indians did not approve of them, they might challenge them. The Town Clerk requested them to spare the Council for the time being.

1 Colonial Secretary

The Deputation to England

A second cablegram regarding a deputation to England has been received from Sir William Wedderburn. Though the Committee working for us in England is not very hopeful of success, it suggests that Mr. Gandhi alone may be sent to England by the same steamer by which the Constitution Committee will sail. The Committee is likely to leave for England towards the beginning of July. The Committee of the Association met on the night of Wednesday last to consider the membership of the deputation. It passed a resolution calling for a meeting of all the Indians in Johannesburg and appealing for funds. It further decided that Mr. Haji Habib, the Secretary of the Pretoria Committee, and Mr. Haji Ojer Ali might be sent, besides Mr. Gandhi, if sufficient funds could be raised. I have already written that this meeting will be held at 2 p.m. in the West End Hall.

Miners' Demands

The Miners' deputation, which waited on the Committee, demanded that Indians should in future be denied entry into the Colony, and that further issue of trade and other licences to them should be stopped.

Permit Hardships

Tired of the permit problems, the Association has now taken the last step. It has written to the Government saying that, if the difficulties regarding permits were not now ended, the Association would file cases to test the four following principles:

1. Those who can prove having made a payment of £3 to the Boer Government should be allowed to enter without permits;
2. children under sixteen of parents who are themselves entitled to enter should be allowed in, and that without a permit;
3. wives of those who are entitled to enter should be allowed in without a permit; and, lastly,
4. instead of the current practice of arbitrarily issuing permits to whomsoever the Government wishes, there should be clear and definite regulations to determine those eligible for permits.

The Association has issued instructions that, if the Government does not give a satisfactory reply in this matter, test cases should be instituted on all the said points.

[From Gujarati]

Indian Opinion, 9-6-1906

375. LETTER TO DADABHAI NAOROJI

DURBAN,
NATAL,
June 8, 1906

TO
THE HON'BLE DADABHAI NAOROJI
KENNINGTON ROAD
LONDON

DEAR SIR,

I had your last cablegram suggesting that I should go to England alone by same steamer as the commissioners.

I was making preparations accordingly, when a communication was received from the Natal Government accepting the offer of the Indian community to form an "Indian Stretcher-Bearer Corps". I am, therefore, expecting to leave for the front any day.

Under the circumstances, we have all decided that the formation of the Corps is far more important than a visit to England. It is recognised that I should be with the Corps, at least in the initial stages. It is evident that the Natal Government intend to test the capability of the Indians for ambulance work.

I fear, therefore, for the present, I should abandon any idea of going to England.

We here, therefore, hope that the Committee that is looking after Indian interests in South Africa will take the necessary steps to place the position before the Government.

You will have seen the statement placed before the Constitution Committee[1] on behalf of the British Indians in the Transvaal. It represents all that could be said in the matter. The statement appears in *Indian Opinion* for the 2nd instant.

I remain,
Yours faithfully,
M. K. GANDHI

From a photostat of the original : G. N. 2273

[1] *Vide* "Statement Presented to Constitution Committee", pp. 335-44.

376. INDIANS AND THE NATIVE UNREST

The Government have at last accepted the offer of the Indian community, and put it upon its mettle. By way of experiment, they want a corps of twenty stretcher-bearers. The Natal Indian Congress has sent in a prompt reply.[1] We think the Congress has done well in offering to defray the wages of the bearers, so long as the corps remains in the experimental stage.

The acceptance by the Government synchronizes with the amendment of the Fire-Arms Act, providing for the supply of arms to Indians, and the statement made by Mr. Maydon to the effect that the Government intended to give Indians an opportunity of taking their share in the defence of the Colony.

Indians have now a splendid opportunity for showing that they are capable of appreciating the duties of citizenship. At the same time, the fact of the corps being raised is nothing to be unduly proud of. Twenty Indians, or even two hundred, going to the front is a flea-bite. The Indian sacrifice will rightly be considered infinitesimal. But it is the principle involved which marks the importance of the event. The Government have, by accepting the offer, shown their goodwill. And if Indians come successfully through the ordeal, the possibilities for the future are very great. Should they be assigned a permanent part in the Militia, there will remain no ground for the European complaint that Europeans alone have to bear the brunt of Colonial defence, and Indians will cease to feel that, in not being allowed to participate in it, they are slighted.

Indian Opinion, 9-6-1906

377. SOLDIERS' FUND

The Durban Women's Association has started a special fund for the soldiers who have gone to the front to fight the Kaffirs. All leading men have contributed to the Fund and some Indian names are seen among the contributors. It is our advice that more Indians, traders and others, should subscribe to the Fund. We mentioned last time how a correspondent had advised us to raise such a fund in Maritzburg. He says that, since we cannot bear our full share of the burden in the war, it is better that we help in this manner.

The soldiers' life is a hard one. The salary and allowances that the Government pay them are not always enough. Those, therefore, who do not go to the front should, in order to express their sympathy, raise

[1] *Vide* "Letter to Colonial Secretary", p. 348.

a fund for the purpose of sending the soldiers fruits, tobacco, warm clothing and other things that they might need. It is our duty to subscribe to such a fund.

[From Gujarati]
Indian Opinion, 9-6-1906

378. INDIAN POSITION IN NATAL[1]

[Before *June 13, 1906*]

Two things cause the greatest trouble to the Indian community in Natal. The first is the Dealers' Licenses Act.

When this Act was passed, the late Sir Henry Binns strongly protested against it, saying that it was an un-British measure, and that the ousting of the ordinary jurisdiction of the Supreme Court was a dangerous principle. Experience has shown the justness of these prophetic words. The administration of the Act was, in its initial stages, marked by an excess of zeal in restricting British Indian trade. The Licensing Officer at Newcastle refused to renew all Indian licences, that is, nine in number. It was after very great expense and trouble that six of them were renewed. As a result, and owing to pressure from the Colonial Office, the Government issued a warning to the licensing authorities that, unless they administered the Act with prudence and moderation and respected existing licences, the Government might be obliged to amend the law, and restore the jurisdiction of the Supreme Court. The circular letter served its purpose for a time. It could do no more. Three typical cases have since happened to show how harsh has been the administration.

1. Mr. Hoondamal, who has been trading in the Colony for some time, wished to change premises, and to remove from Grey Street to West Street.[2] The shop was absolutely free from objection from a sanitary standpoint. It belonged to an Indian landlord, and it was in a block of buildings which have been devoted to Indian traders for several years. Mr. Hoondamal had a fancyware business, and dealt in Oriental silks and other fancy goods. He did not come into competition with any European. His shop was kept in a scrupulously clean condition, but the transfer from one premises to another was rejected by the Town Council.

2. Mr. Dada Osman had been in trade in Vryheid for several years before the war.[3] The place he was trading in was considered a Location or a Bazaar during the Boer regime. After Vryheid was annexed to

[1] This was published in *The Natal Mercury* of 13-6-1906. That paper had suggested that Indians should "set down their grievances concisely in writing for the benefit of the public, who would then be in a better position to form an opinion". The statement was later reproduced in *Indian Opinion.*

[2] *Vide* Vol. IV, pp. 357-9.

[3] *Vide* Vol. III, pp. 17-21.

Natal, the Licensing Board refused to renew his licence, unless he would go to another Location far away from town, where it was impossible for him to do any business at all. Mr. Dada Osman's business in Vryheid has, therefore, proved a very serious loss to him. In this case, as also in the previous case, many certificates from Europeans of good standing were produced to show the respectability of the applicants. It should be remembered that Mr. Dada Osman's was the only Indian store in Vryheid. To add to the misery of the position, the anti-Asiatic laws of the Transvaal have been taken over bodily for this district of Natal. A British Indian, therefore, staying in Vryheid, not only has to undergo the disabilities that the Natal laws imposed on him, but has added to them the disabilities that the Transvaal laws have created for him.

3. Mr. Cassim Mahomed has been trading for three years on a farm near Ladysmith. For some time his was the only store. Recently, a European firm, by name Burdett & Co., have opened a store near by. Mr. Cassim Mahomed's servant, in his absence, was trapped and charged with a breach of the law as to Sunday trading, the servant having sold to the traps a piece of soap and a little sugar. Armed with this conviction, Messrs Burdett & Co. opposed Mr. Cassim Mahomed's application for a renewal of his licence. The Licensing Officer listened to their objections, and refused to renew the licence. There was an appeal to the Board, which confirmed the decision of the Licensing Officer. The court said that it was not guided by any prejudice; it proposed to treat Mr. Cassim Mahomed as it had treated a certain European. This was incorrect. This European was himself convicted of having sold opium, in contravention of the law, to the Indians working at the mines in his neighbourhood, and other allegations were made against him. There is an ocean of difference between the technical breach of the Sunday Law by the servant of Mr. Cassim Mahomed and the breach of the opium law of the Colony by the European personally. Mr. Cassim Mahomed, too, produced excellent references from European firms of good standing.

In all the above-named three cases, there is not an iota of reason for depriving the applicants of their licences, and thereby, perhaps, their means of livelihood. They were all vested interests, but the popular Boards, in our opinion, did not hesitate to trample under foot all sense of justice and right. Had the jurisdiction of the Supreme Court been reserved, such gross injustice would never have been possible. It is possible to understand objections to traders whose premises are insanitary or even ugly, to traders who cannot produce any intelligible record of their transactions or have been known to have deceived their creditors. One could also understand a great deal of hesitation in granting new licences to Indian traders in view of popular feeling and prejudice, but it is hard to justify treatment meted out to cases like the foregoing. A study of the Cape Bill, recently published, in connection with this matter would be very appropriate, and would throw a great deal of light on the question. No reasonable exception could be taken to that measure, and yet it would

do all that the Natal Act was intended to do, without doing violence to British traditions, or even the elementary ideas of right and wrong.

A further difficulty has now been introduced by reason of a circular issued by the Government to the licensing authorities, to the effect that for Indian applications they are to take thumb-impressions on the counterfoils of the licences issued, in order to establish identity. Why such a distinction against Indians should be made it is difficult to understand, except on the supposition that the Government intend that, as soon as the present Indian holders have retired from business or died, the business should be sold, not as a going concern, but outright. What this means to a trader can be better imagined than described.

Immigration Restriction Act

Under this Act, latterly, the Government have framed rules imposing fees which are simply extortionate. Any Indian who is domiciled in Natal, and wants to return to Natal, as a rule takes with him some documentary proof, and the Government grant him a certificate of domicile on sufficient proof being given. Hitherto, the nominal charge of 2s. 6d. has been made, but it has now been raised to £1. Similarly, facilities are afforded to those who wish to enter the Colony for a temporary visit, or who, belonging to the inland States, wish to pass through Natal on their way to India. These are called visitors' or embarkation passes, and were naturally issued till recently without any fee, but on a deposit of £10, to be refunded on leaving the Colony. A fee of £1 has now been imposed on these passes also. The imposition is extraordinary. British Indians not only contribute to the railway revenue by passing through Natal, but have now to pay for the privilege of doing so a fee of £1. The same argument applies to visitors. One would consider that, seeing that the law restricts immigration, and not temporary sojourn, of people, the expenses of ensuring the return of those who wish to temporarily remain in the Colony should be borne by the general treasury. The Government, however, have taken a different view. They consider that a man who visits Natal temporarily may also be dealt with under the Immigration Restriction Act, and that, therefore, when he is allowed to visit the Colony, it is a privilege that is extended to him. For such a contention there is no support in law. Cases have occurred where British Indians in Johannesburg have taken out embarkation passes, for which they have paid £1. They have been obliged to change their minds, and to indefinitely postpone their visit to India, and yet they have been obliged to forfeit the fee of £1 paid for their embarkation passes, although they have never used them, and when the time comes for them to go to India, they would have to take [out] other embarkation passes, and pay the fee again. The above fees, therefore, could only be interpreted as an attempt to indirectly tax British Indians.

Indian Opinion, 16-6-1906

379. PLEDGE OF ALLEGIANCE

We, the undersigned, solemnly and sincerely declare that we will be faithful and bear true allegiance to His Majesty King Edward the Seventh, His Heirs and Successors, and that we will faithfully serve in the supernumerary list of the Active Militia Force of the Colony of Natal as Stretcher-Bearers, until we shall lawfully cease to be members thereof, and the terms of the service are that we should each receive Rations, Uniform, Equipment and 1s. 6d. per day.

M. K. GANDHI, U. M. SHELAT, H. I. JOSHI, S. B. MEDH, KHAN MAHOMED, MAHOMED SHAIKH, DADA MIAN, POOTI NAIKEN, APPASAMY, KUNJEE, SHAIKH MADAR, MAHOMED, ALWAR, MUTHUSAMY, COOPOOSAMY, AJODHYASING, KISTAMA, ALI, BHAILAL, JAMALUDIN.[1]

Indian Opinion, 16-6-1906

380. LORD SELBORNE

Lord Selborne made a significant speech while laying the foundation-stone of the new Town Hall at Germiston. The speech consists of advice on morality and politics. Addressed as it is to the whites, it is perhaps of less direct interest to us from a political standpoint. But from the moral point of view, Lord Selborne's words deserve to be pondered over. Accordingly, we summarise the speech below:

The Municipalities exercise a necessary influence on the lives of us whites, who are politically very active. They are the schools which prepare men for the administration of the State. It is there that the seeds of the freedom of a people are sown and nurtured. The British prefer a harsh but self-governing political system to a mild alien rule. At all times and everywhere, the Municipalities have been the chief forum of public opinion. The Municipality serves as a training-ground not only for its members but also for the electorate and for others who discuss [public affairs]. The electors should never forget how to offer legitimate criticism. This is a region in which engaging storms blow. Storms are of two kinds : actual storms and the metaphorical ones in politics. One who preserves one's equanimity during an actual storm can be said to have a cool and collected temperament. In the same way, one who remains unperturbed during a political storm is considered a man of firm convictions. I should consider a person reliable who sticks to his own way of life in fair weather and foul. A man should prove that he is absolutely firm in

[1] Cf., however, "Indian Stretcher-Bearer Corps", p. 368.

his principles regardless of whether or not people interpret his words or actions aright.

[From Gujarati]
Indian Opinion, 16-6-1906

381. MR. SEDDON

Mr. Seddon[1], the Prime Minister of New Zealand, died at the age of sixty-one without having suffered any illness. He was an able English statesman. For a long time he was the President of New Zealand to which office he was elected; he earned a good name for himself and succeeded in bringing prosperity to the land entrusted to his care. He was in the front rank of Colonial statesmen. Though ever trying to increase the power of the Colonies by disregarding the Imperial Government, he was always considered fit to play a leading role in British Imperial Councils and Committees since his attitude was never really harmful to the interests of the British Empire.

At the Jubilee Colonial and Coronation Conferences, he proved to be the foremost among the Colonial Prime Ministers. The death of such a statesman will be mourned in every part of the British Empire. His Majesty King Edward has sent a message of condolence to the people of New Zealand. The Natal Government has also sent a similar message, which bears testimony to his popularity.

[From Gujarati]
Indian Opinion, 16-6-1906

382. LETTER TO PATROL LEADER

DURBAN,
June 18, 1906

CHIEF LEADER N. CHIAZZARI
POINT
[DURBAN]

DEAR SIR,

In accordance with the efforts made by Captain Dray,[2] leader of Ward IV, to raise subscriptions from Indian merchants resident in the above ward, for the supply of uniforms to such members of the patrol for the said ward as may be too poor to afford the uniform themselves, we have much pleasure in informing you that we have now collected subscriptions

[1] Richard Seddon died on June 10, 1906 aboard the *Oswestry Grange* while on his way back to New Zealand after a tour of Australia.

[2] He addressed a meeting of Indian residents of the Ward on June 2 in the Congress Hall. Gandhiji, along with some other leaders of the community, also spoke, and it was decided to raise a subscription of £70 for uniforms and to provide 16 men for ambulance work.

larger than the estimate made by Captain Dray, as you will see from the list herewith enclosed. The amount required was £70. 15. 0, and the amount subscribed is £86. 7. 0.

We beg to hand you herewith the sum of £50.0.0 cash to be used as above. Should you require more, we would send you the balance.

We shall feel obliged if you will kindly let us have for the information of the subscribers a list of those that may be so supplied with uniforms.

If, in view of the utter collapse of the rebellion, the fund is not now required, we take it that the same will be refunded.

We would also like to add that the uniforms, should they be bought, should remain the property of Ward IV.

In conclusion, we beg to record our thanks to Captain Dray for enabling us to show our appreciation in ever so slight a manner of those townsmen who have come forward for the defence of the persons and property of their fellow-residents in Ward IV.

We remain, dear sir,
Yours faithfully,
S. P. MAHOMED & CO.

[Enclosure]

NAMES OF SUBSCRIBERS

	£	s	d
Aboobaker Amod & Co.	10	10	0
M. C. Camroodeen & Co.	10	10	0
Dawad Mahomed	10	10	0
B. Ebrahim Esmail	8	8	0
P. Dawji Mahomed	7	10	0
G. H. Miankhan	6	6	0
Parsee Rustomjee	6	6	0
S. P. Mahomed	4	4	0
M. C. Anglia	2	2	0
Hoosen Cassim	2	2	0
Abdool Hak & Amod	2	10	0
A. Hack Mahomed Ismail	2	2	0
A. M. Paruk	2	2	0
M. S. Randeri	1	1	0
G. H. Randeri	1	1	0
E. A. Tayob	1	1	0
N. Kotwal	2	2	0
East Indian Trading Co.	2	2	0
Dada Abdoolla & Co.	1	1	0
Abdool Hack Kajee Sahib	1	1	0
I. B. Timol	1	1	0
Friend	0	15	0
Total	£86	7	0

Indian Opinion, 23-6-1906

383. LETTER TO G. K. GOKHALE

STANGER LAAGER,
June 22, 1906

DEAR PROF. GOKHALE,

I am writing this from the military laager at Stanger.[1] The Indian Stretcher-Bearer Corps received orders yesterday to march. The work before the Corps this time is of a more difficult type. In any case, it was absolutely necessary for me to accompany the Corps if it was to be formed at all. The question of my coming to England must, therefore, remain in abeyance.

I am very thankful for your long letter and the suggestions made by you.

I suppose we shall know in time the result of your interviews[2] with Mr. Morley. You will put a finishing touch to your brilliant work, if you could on your way pass through South Africa. That I know is a selfish view, but I may be pardoned for taking such a view, seeing that all my work at present seems to be connected with South Africa alone.

I am,
Yours truly,
M. K. GANDHI

[PROF. GOKHALE
LONDON]

From the handwritten original : Courtesy : Servants of India Society

384. AN IMPORTANT PERMIT CASE

Justice has again been vindicated, and the excesses of the Asiatic Permit Department in the Transvaal have received a salutary check at the hands of the presiding Magistrate at Volksrust. From the summary furnished by our Johannesburg correspondent of the case in question, it would appear that Mr. E. M. Bhyat, brother of Mr. A. M. Bhyat, of Heidelberg, a well-known Indian merchant, was refused a permit to re-enter the Transvaal, although he proved that he was an old resident of that Colony and had paid three pounds to the Dutch Government as the price of settlement in the Transvaal. Mr Bhyat's application had received very influential European support. He was to go to the Transvaal in order to replace his brother, who found it necessary to go to India for

[1] A town 45 miles to the north-east of Durban

[2] Gokhale, who had presided over the Congress Session at Banaras in December 1905, was at this time in England and met Mr. Morley several times in connection with the Partition of Bengal, proposals for reform and Indian problems generally.

reasons of health. In spite of such proof, Mr. Bhyat could not get a permit, the reason alleged being that he, having left the Transvaal some time before the outbreak of war, could not be termed a refugee. The case went to Lord Selborne through the British Indian Association, but His Excellency declined to grant relief. It is a matter of painful surprise to us that the High Commissioner should have denied justice in a case of such importance. Indians have a right to complain that His Excellency did not show for the Indian community that reasonable regard to which he said some time ago it was rightly entitled.

Exasperated by the refusal, Mr. Bhyat appealed to the law courts of the Colony, whose decision was entirely in Mr. Bhyat's favour. The Magisterial interpretation of the Peace Preservation Ordinance means that those Indians who have paid three pounds to the old Government are free to enter the Transvaal without permits, on proof of such payment.

The case shows once more how hard it is for an Indian to get justice from the Government in the Transvaal. Ever since the establishment of British authority in that Colony, Indians have been obliged to struggle against it for their right to exist in that portion of the British Empire. They have more than once been obliged to extort from an unwilling administration a measure of justice by the help of the law courts of the Colony. Lord Selborne was inclined to resent the complaint of the British Indian Association that the Government opposed the Indian community in the licence test case. Perhaps there was some ground for resentment, as there was a decided case of the Republican High Court to which the present Government felt bound to give effect. In the present case, there was no such precedent. The Peace Preservation Ordinance is a creation of the British Government. It has been wrested from its proper sphere in order to restrict Indian immigration. It was within the power of the Government to grant relief, of its own motion, without being troubled with any precedents. And yet an Indian merchant has had to undergo much expense and worry, and has been compelled to resort to the law courts of the Colony before he could receive even the elements of equitable treatment. We wonder how Lord Selborne will justify this latest action of the executive authority in the Transvaal.

Indian Opinion, 23-6-1906

385. INDIAN VOLUNTEERS

Much discussion has been carried on in this journal regarding whether or not the Indians should participate in the war. The Government has agreed to accept a corps of twenty stretcher-bearers, and the Congress has got that number together. This has produced a very favourable impression on the minds of prominent whites. Some leading members of the community have, because of this, formed the opinion that we must have innate ability for such work; and they advise us that we should

accordingly ask for a permanent place in the Volunteer Corps.

Between this proposal and the Stretcher-Bearer Corps that has already been raised, there is much difference. The Stretcher-Bearer Corps is to last only a few days. Its work will be only to carry the wounded, and it will be disbanded when such work is no longer necessary. These men are not allowed to bear arms. The move for a Volunteer Corps is quite different and much more important. That Corps will be a permanent body; its members will be issued weapons, and they will receive military training every year at stated times. For the present they will not have any fighting to do. Wars are not fought all the time. A war breaks out, roughly speaking, once in twenty years. It is now more than twenty years since the last Kaffir rebellion broke out. There is, therefore, absolutely no risk in joining the Volunteer Corps. It can be looked upon as a kind of annual picnic. The person joining it gets enough exercise and thus keeps his body in good trim and improves his health. One who enlists as a volunteer is much respected. People love him and praise him, calling him a civilian soldier.

If the Indians are given such a status, we believe it would be a very good thing. It is likely to bring in some political advantage. Whether or not any advantage is to be derived, there is no doubt that it is our duty to enlist. Hundreds of leading whites enlist themselves and take pride in doing so. Under the prevailing law, it is open to the Government to enlist compulsorily. We ought to obey the laws designed for the defence of the country we live in. Therefore, considering the matter from any point, it is clear that, if we are able to join the Volunteer Corps, the reproach against us would be lived down, once and for all.

For fifteen years now the whites have accused the Indians that, if it came to giving one's life in defence of Natal, they would desert their posts of duty and flee home. We cannot meet this charge with a written rejoinder. There is but one way of disproving it — the way of action. The time to act appears to have come now. But how is it to be done? Not by making volunteers out of the poor labourers freed from their indentures. It is the duty of the trading community to take part in the movement themselves. Many men can be trained up even if each shop offers only one man. Trade will not suffer. The condition of those who join will improve. They will gain in strength and energy and will be deemed to have done their duty as citizens.

It is sheer superstition to believe, as some appear to do, that there is greater risk to life in going to the battle-field or preparing for it. Next week we intend to adduce examples in support of this.[1]

Meanwhile, we are placing these thoughts before the leaders of the community and we hope that they will receive due consideration.

[From Gujarati]

Indian Opinion, 23-6-1906

[1] *Vide* "Should Indians Volunteer or Not?", pp. 366-7.

386. THE CASE OF SULIMAN MANGA

We have already published in our English columns a full account of the case relating to a permit for Mr. Suliman Manga.[1] Sir Henry Cotton asked a question in the House of Commons based on this information. Mr. Churchill[2] in reply stated that a prompt inquiry would be made into the matter. Both the question and the answer are very important. It remains to be seen what reply Lord Selborne can give now. Probably the relief that one can hope for in permit problems will largely depend on his answer.

Mr. Churchill's reply that an inquiry would be made gives us adequate grounds to hope that the Home Government will not entirely disown responsibility.

[From Gujarati]

Indian Opinion, 23-6-1906

387. INDENTURED INDIANS IN LADYSMITH

Earlier, our Ladysmith correspondent wrote an account of the tyrannies perpetrated on the indentured Indians of Ladysmith. The despatch was published in our English columns also.[3] Mr. Polkinghorne, the Protector, who happened to read it, has informed us that necessary inquiries in the matter are being made. This is heartening news, and it is to be hoped that the poor Indians will get some redress.

[From Gujarati]

Indian Opinion, 23-6-1906

388. INDIAN STRETCHER-BEARER CORPS

Mr. Omar Haji Amod Johari and Mr. Mahomed Cassim Anglia, the Joint Honorary Secretaries of the Congress, have received from the Government a reply to their letter offering to pay the salary of the members of the Stretcher-Bearer Corps. The Government have accepted the offer.

Mrs Nanji and Mrs Gabriel have together prepared Red Cross badges for the members of the Corps. These badges are worn on the left arm and identify those who are engaged exclusively in attending to the wounded. These badges cannot be very important in the Kaffir rebellion; but among

1 *Vide* "A Permit Case", p. 345.

2 Winston Churchill, who was Under-Secretary of State for the Colonies

3 *Vide Indian Opinion*, 9-6-1906.

European nations there is a convention that arms cannot be used against persons wearing such badges.

[From Gujarati]

Indian Opinion, 23-6-1906

389. AN IMPORTANT TENANCY CASE

The Supreme Court of Natal recently decided an important case on the notice to be given to a tenant on a monthly tenure. The common understanding is that it is sufficient to give a tenant a month's notice beginning from any date of the month, and that he in turn, can give a similar notice and vacate the premises. This seems to be the interpretation accepted among some lawyers too. But the Supreme Court has decided that the notice should be given on the same date on which the tenancy began. For example, if the tenant took possession on the 6th of a certain month, he can give the necessary month's notice on the 6th of any month or earlier, but the notice will only take effect from the 6th of the succeeding month. The landlord also is, for his part, bound to give similar notice.

[From Gujarati]

Indian Opinion, 23-6-1906

390. JOHANNESBURG LETTER

Mr. Bhayat's Permit Case

Just as there was a permit case in respect of Mr. Suliman Manga, so a case has now been decided concerning Ebrahim Bhayat. Mr. Manga, though fully and clearly entitled to a temporary permit, was not given one by the Permit Officer; he secured it at last from Delagoa Bay. Mr. Ebrahim Bhayat was an old resident of the Transvaal and knew a number of prominent whites; and his application was supported by many of them. Even so, he was refused a permit on the ground that it was not during the war that he had left the Transvaal but a year earlier. This was the limit of oppression. As it was absolutely essential for Mr. Bhayat to go to the Transvaal in connection with his brother's business, he decided to go to court. Mr. Benson's opinion had been obtained, and Mr. Lichtenstein appeared in the case at Volksrust. Mr. Bhayat's defence was as follows :

1. Mr. Ebrahim Bhayat was an old resident of the Transvaal.
2. He had paid £3 to the Dutch Government, and had by that payment purchased the right of permanent residence.
3. By virtue of the London Convention such men were entitled to stay permanently.[1]

[1] Under the terms of the London Convention, which provided for the free and unrestricted entry of all British subjects into the erstwhile Republic, a person was not subject to the Governor's discretionary powers unless he was considered dangerous or seditious.

4. Furthermore, since Mr. Bhayat's marriage had been solemnized in the Transvaal, he should be regarded a permanent resident of the Colony.

The Permit Act could not be enforced in the face of these arguments; and the Magistrate decided that such persons needed no permits to enter the Transvaal.

This is a very good decision, and the Permit Office has met with a crushing defeat. We shall await the defence Lord Selborne can muster in reply.

As a result of this decision, those Indians who were formerly residents of the Transvaal and hold a Dutch registration certificate will be able to enter without a permit. This will obviate many inconveniences met with by those applying for permits.

I must, however, point out that there is a confusion in this case. The good gentleman that the Volksrust Magistrate is, he has interpreted the law very sympathetically and in our favour. There are many eminent barristers who are of the opinion that it is necessary even for those who possess registration certificates to take out permits; and, undoubtedly, there are many difficulties in doing so. However, the Government cannot go in appeal against the Magistrate's decision; and as long as the Indians make out their case carefully and strongly, they should have no trouble at all. It will perhaps be easier for them to come through Volksrust than through Komatipoort, for there is no reason to suppose that all magistrates will give a similar decision. The matter cannot be taken as finally settled as long as the Supreme Court has not given its decision. It should also be remembered that this is not a case that can be taken to the Supreme Court.

New Act for Johannesburg Municipality

The Johannesburg Municipality intends to get a new law passed concerning its own powers during the present session of the legislature. It seeks further enabling powers to declare an area a Location or Bazaar, and to refuse a licence to those who are otherwise entitled to it on such grounds as the unsatisfactory condition of the building or the applicant being guilty of some offence. Persons dissatisfied with the decision of the Municipality would be able to prefer an appeal before a Magistrate. It does not seem possible to oppose either of these two points. However, the power to fix a site for a Location or a Bazaar does not authorize the Municipality to force people to shift there.

Lord Selborne

It appears from the local newspapers that a movement is afoot to recall Lord Selborne from South Africa. Members of the Radical Party believe that Lord Selborne does not carry out the policy of the Liberal Party in full measure.

[From Gujarati]

Indian Opinion, 23-6-1906

391. SHOULD INDIANS VOLUNTEER OR NOT?

We commented on this subject in our last issue.[1] Towards the end of that article, we had said that most of us held back only because of fear. There is, however, no cause whatever for fear, as should be evident from the examples we propose to give for the benefit of those who believe that we should be ever ready to participate in war if we want to live happily and respectably in Natal, in South Africa or, for that matter, in any part of the British Empire. The Crimean War caused heavy casualties; yet it has been estimated that fewer men died from bayonet or bullet wounds in that war than through sheer carelessness or perverse living. It was calculated that, on an average, more men died of fever and other diseases during the attack on Ladysmith than by Boer bullets. The experience in every war has been similar.

Moreover, those who can take care of themselves and lead regular lives while at the front can live in health and happiness. The training such men receive cannot be had elsewhere, that is, if they do not go to the front only to prove their valour or quench their thirst for blood. A man going to the battle-front has to train himself to endure severe hardships. He is obliged to cultivate the habit of living in comradeship with large numbers of men. He easily learns to make do with simple food. He is required to keep regular hours. He forms the habit of obeying his superior's orders promptly and without argument. He also learns to discipline the movement of his limbs. And he has also to learn how to live in limited space according to the maxims of health. Instances are known of unruly and wayward men who went to the front and returned reformed and able fully to control both their mind and body.

For the Indian community, going to the battle-field should be an easy matter; for, whether Muslims or Hindus, we are men with profound faith in God. We have a greater sense of duty, and it should therefore be easier for us to volunteer. We are not overcome by fear when hundreds of thousands of men die of famine or plague in our country. What is more, when we are told of our duty, we continue to be indifferent, keep our houses dirty, lie hugging our hoarded wealth. Thus, we live a wretched life acquiescing in a long, tormented process ending in death. Why, then, should we fear the death that may perhaps overtake us on the battle-field? We have to learn much from what the whites are doing in Natal. There is hardly any family from which some one has not gone to fight the Kaffir rebels. Following their example, we should steel our hearts and take courage. Now is the time when the leading whites want us to take this

[1] *Vide* "Indian Volunteers", pp. 361-2.

step; if we let go this opportunity, we shall repent later. We therefore urge all Indian leaders to do their duty to the best of their ability.

[From Gujarati]
Indian Opinion, 30-6-1906

392. EXTRACT FROM LETTER TO DADABHAI NAOROJI[1]

June 30, 1906[2]

Under separate cover, I am sending you marked copy of *Indian Opinion*, wherein will be found copy of correspondence from Lord Elgin to the Governor of the Colony of Natal on the subject of the Municipal Corporations Consolidation Bill. I would bring to your notice the resolution arrived at by the Municipalities Association at its recent meeting, held to consider Lord Elgin's despatch, to the effect that no alteration should be made in the definition of "Coloured Persons". This decision leaves the Indian community in the same danger of insult and degradation as before, and it is to be hoped that the Secretary of State for India and the Indian Government will insist upon the carrying out of the suggestion proffered by the Secretary of State for the Colonies. Moreover, I would point out that Lord Elgin omits all reference to the Clause of the Bill disfranchising all those who are not in possession of the parliamentary franchise. It will doubtless be within your recollection that the Indian community of Natal acquiesced in the disfranchisement of all Indians who were not at that time on the Parliamentary Voters Roll at the urgent desire of the late Mr. Harry Escombe, on the distinct understanding that such disfranchisement was not to be carried to any greater lengths. I need not do more than remind you that British Indians in Natal, if such Municipal disfranchisement takes place, will be in a worse position than they would be in India, where, of course, such representative institutions are enjoyed by them. In view of the action of some of the Municipalities, as reported on various occasions in the columns of *Indian Opinion*, in making invidious, arbitrary distinctions between British Indians and Europeans, it is obvious that a grave injustice will be inflicted upon the British Indian community in Natal, unless steps are immediately taken to prevent this curtailment of their civil rights.

From a photostat of Dadabhai Naoroji's letter : G. N. 2316

[1] and [2] The original is not available. Dadabhai Naoroji, in his letter dated July 24 to the Secretary of State for India, quoted this as "from a letter received from a correspondent in Johannesburg", i.e., Gandhiji. Though the latter was away at the front on that date, it is not unlikely that he had drafted it earlier.

393. INDIAN STRETCHER-BEARER CORPS[1]

[Before *July 19, 1906*]

Composition of the Corps

This Corps, which has been formed at the instance of the Natal Government by way of experiment, in connection with the operations against the Natives, consists of twenty[2] Indians whose names are as follows :

M. K. Gandhi (Sgt.-Major), U. M. Shelat (Sgt.), H. I. Joshi (Sgt.), S. B. Medh (Sgt.), Parbhu Hari (Corporal), Khan Mahomed, Jamaludin, Mahomed, Sheikh Madar, Sheik Dada Mia, Mahomed Essop, Puti Naiken, Appasamy, Kistama, Kupusamy, Bomaya, Kunji, Ajodhyasing.

According to religion, the Corps is composed of six Mahomedans and fourteen Hindus. Geographically, there are five belonging to the Bombay Presidency, twelve to the Presidency of Madras, two to the Punjab, and one to the Presidency of Bengal. It may be added that one of the twelve Madrasis is Colonial-born.

According to status, thirteen men have been, at one time or [an]other, under indenture in Natal, and are now working as free men, in the capacity of gardeners, domestic servants, etc. Two of them are engine-drivers by profession, one [is] a goldsmith, three are agents and book-keepers, having received higher education in India, and one is a barrister.

It is now well known that the Government has provided uniforms and rations, and the Natal Indian Congress pays the salaries.

At the Front

On the 22nd June, this Corps entrained for Stanger by the early train and joined the B. M. R. column under Colonel Arnott, who was in laager at Stanger. After discussion with the regimental Sgt.-Major, Colonel Arnott gave orders that the Corps was to receive European rations, and rice and *dholl*, with curry-powder, in lieu of meat. For the information of readers of this journal, the scale per man per day is appended :

Bread or Biscuits 1 lb., Sugar 5 oz., Tea ¼ oz., Coffee ½ oz., Butter 1 oz., Salt ½ oz., Jam 2 oz., Cheese 2 oz., Potatoes 4 oz., Onions 2 oz., Mealiemeal 4 oz., Pepper, Rice 1 lb., Lentils ¼ lb.

As there was no medical officer attached to Colonel Arnott's column, the Colonel authorized the issue of a small quantity of medicine of immediate necessity, and a supply of bandages. Seeing us with Red Cross bandages, application was made the same day by several troopers who had either suffered slight accidental injuries or were suffering from malarial

[1] This was the first of the two despatches sent by Gandhiji and published in *Indian Opinion* as "From Our Special Correspondent at the Front".

[2] Actually only 18 are listed.





Overleaf: THE INDIAN STRETCHER-BEARER CORPS

fever. The medicine, therefore, came in very handy, and one portion of the Corps' work commenced at the laager.

The night of the 22nd was passed in laager, and all of us had to sleep in the open. One blanket supplied to each of us was not enough protection against cold, and the overcoats, furnished from the Comforts Fund opened by the Indian community, were very much appreciated.

After breakfast on the 23rd June, the whole column moved forward, the Durban Reserves, the Indian Corps, and an escort bringing up the rear.

We had to march with the whole of our kit on, and as the experience was new to most of us, and as the marching was mostly up hill, it was severely felt by some. On the way, we passed by Sir James Hulett's garden, and the troops were permitted to help themselves liberally to the luscious naartjes, with which the trees in the garden were weighted. After three cheers for the donor for the timely gift, the column moved forward and laagered about a mile beyond the estate. On the 24th, at 6-30 a.m., the march commenced. We were allowed on this occasion to put our kit onto the waggons — a great relief. The columns encamped at Otimati, a hill in a beautiful valley. Just near us ran a sparkling stream. The column was not intended to go as far as Mapumulo, but was to operate from the Otimati camp. The Corps had, however, instructions to proceed with the first convoy to Mapumulo. On the 25th June, therefore, we were in a state of uncertainty as to our fate, but hardly had our luncheon been half cooked, when orders were received that we should march to Mapumulo with some waggons that were leaving for that place. We had therefore to leave our food, pack up kit, and march, which we did within a quarter of an hour of the receipt of the orders. We reached Mapumulo at about 5 p.m. and reported ourselves to Captain Howden, the P. M. O. at that place. Captain Howden treated the Corps very nicely, and Corporal Little, who was to look after it, busied himself with providing us with tents, etc., up to 10 p.m. We were given one bell tent, and five patrol tents, which after three nights in the open were more or less a luxury, though, to most of us, a very necessary one. Colonel Sparks, too, came and inquired about us.

Indian Opinion, 21-7-1906

394. INDIAN STRETCHER-BEARER CORPS[1]

[Before *July 19, 1906*]

Fatigue Duties

On the 26th our task was allotted to us. Nine of us were to form a fatigue party to accompany the tank-waggon, which brought water from an adjoining stream. Some of us were detained to disinfect the whole camp, under the superintendence of Dr. Savage, the District Surgeon

[1] This was the second and final despatch sent by Gandhiji from the front.

for Mapumulo, and from three to four of us were to dress the wounds on the backs of several Native rebels, who had received lashes. One of us assisted at entering up the daily roll of patients treated by Captain Howden. The stretcher-bearing work, however, had yet to come. Some of the above work was partially interrupted or suspended as a helio-message was received to forward a stretcher party to Otimati in connection with operations that were to be undertaken by the B. M. R. column at Thring's Post. Early on the morning of the 27th, therefore, one-half of the Corps, with two stretchers under Sgt.-Major Gandhi and Sgt. Joshi proceeded to Otimati, where instructions were received to take a stretcher to carry one of the troopers who was dazed. Fortunately, the trooper had recovered before the party reached Thring's Post. But by an unfortunate accident, another trooper, by name Forder, had received a bullet-wound in the thigh from a co-trooper. He, however, pluckily rode to the camp. The stretcher party had to assist Mr. Stokes, of the N. M. C., in treating the wounded trooper, and others, who had received slight injuries through accidents or otherwise, requiring medical help. On the 28th, the stretcher party at Otimati were to take to Mapumulo Private Sutton of the Durban Reserves, whose toe was crushed under a waggon wheel, and Trooper Forder. The latter had to be carried on a stretcher, as his wound was very delicate. The work of carrying Trooper Forder proved to be much heavier than we had thought. The energy of all the available men had to be taxed to the utmost in carrying the wounded men, especially as it meant going uphill all the way. As we were nearing Mapumulo, the Captain of our escort sent word that, if it could be managed, Forder should be placed in the ambulance waggon, as the Natives about the hill might wrongly consider that the rebels had succeeded in wounding at least one of our men. Trooper Forder, on hearing the message, gladly volunteered to go into the waggon. And the fatigued bearers were equally glad to be relieved of the necessity of having to carry their charge up the very steep hill near Mapumulo. With this brief interruption, then, the whole Corps resumed its former work, with which it had commenced, and continued to do so till the morning of the 3rd July, a day that will ever remain memorable to the members of the Corps.

Heavy Work

At 9 p.m. on the 2nd July, the Corps was ordered to follow a combined column at 2-30 a.m. the next morning which was to operate in the Umvoti Valley. We had to take two days' rations with us, our blankets, and five stretchers. We did so, and the march commenced at 3 a.m. on the 3rd. There were no waggons with the column, and, with the exception of the infantry, which had gone forward before, all were mounted men whom we had to follow. Men in the rear were to guard us. We were all unarmed. But as the troops galloped away in front of us and we followed them, we were quickly out-distanced. However, we marched on, trying, as far as possible, to overtake the column, but it was a hopeless task. There

was, therefore, as a rule, considerable distance between the rear-guard and ourselves. At daybreak, the movement of the troops became naturally more rapid, and the distance between them and us began to increase. However, there was no prospect before us except that of running after the troops or of being assegaied by the rebels. Probably we had a narrow escape. At 7 o'clock troops were operating at some distance from us. As we were struggling along, we met a Kaffir who did not wear the loyal badge. He was armed with an assegai and was hiding himself. However, we safely rejoined the troops on the further hill, whilst they were sweeping with their carbines the bushes below. Thus, we had to perform what seemed to be a never-ending march. We had to cross and re-cross the Umvoti River, an operation that was difficult enough, seeing that we were obliged to take off our heavy boots and putties. One of the men narrowly escaped what might have been a very serious accident, and he only crossed the stream less his putties and with a bleeding toe. However, he marched bravely on with the rest of us. Towards evening, the column retired to a rise near the valley and pitched the camp.

"Dead Tired"

All of us were dead tired, and it was a stroke of good luck that there were no casualties or accidents on our side. Had there been any, it is difficult to say how we would have discharged ourselves in carrying the wounded in such a fatigued condition, though the writer of these notes fully believes that, actuated as the Corps mainly was by a sense of duty, God would have given it sufficient strength to perform any such work. Anyhow, such was the answer given to the laughing troopers, who, half in pity and half in ridicule, inquired, as we were struggling along, what we should do if we had actually to carry some wounded. On the morning of the 4th, we were split up into two parties to accompany the two divisions of the column which were to operate in two different parts. The march had still to be without real protection. All this was inevitable in the nature of things. One party, however, had an easier day. Whilst it must have covered no less than 25 miles the previous day, on the 4th it could not have been more than 12 miles, but the other party, under Sgt. Shelat, had an equally trying time on that day. The result was that most of us were footsore, and it was about as much as we could do on the 5th to carry ourselves decently to Mapumulo, a distance of nearly 15 miles. Of course, the whole column was in a state of practical starvation, as, in the expectation of having only one night on the veld, everyone had taken two days' rations only. And so we had all to return to Mapumulo.

Weary and Footsore

Our surprise can be better imagined than described, when reaching Mapumulo, where we had expected a day's rest, we were ordered to march to Thring's Post the day following and shift our own camp there. It was a physical impossibility for about nine or ten of us, and the Sgt.-Major

informed the P. M. O. that, unless transport was provided for such as were totally unfit to walk, it would be impossible to resume the march the following day. The matter was placed before Colonel Sparks, who said that footsore bearers could go in an empty waggon that was going to Thring's Post, and thus we were able to undertake the journey to Thring's Post on the 6th July. There, we were attached to Captain Pearson, who treated us with every consideration. Transport that was provided for the footsore bearers put us on our feet again, and we were able to respond to the call of duty on the morning of the 8th. Orders were received on Saturday evening that we should follow with our stretchers the guns that were to leave for the Tugela Valley at 3 a.m. the following day. Compared to the work done in the Umvoti Valley, our task was easy, and the march could not have covered more than 16 miles. We returned to camp the same day.

Doing the Impossible

At 2-30 a.m. on the 10th, we had to proceed to the Otimati Valley with the infantry, and though the work was very difficult, we had by this time become more or less seasoned. We had to take two days' rations with us; the path lay through what would ordinarily be an inaccessible valley. It was impossible for any ambulance to go down, and in parts we had to descend steep precipices. Troopers had to lead their horses, and the route was so long that we never seemed to reach the bottom. However, at about 12 o'clock we finished the day's journey, with no Kaffirs to fight. But an incident happened on the way down the valley which was calculated to test our ability to do stretcher-bearing work. A Kaffir, being a friendly boy, who was guiding a private of the D. L. I., was shot by him, under the belief, it is said, that the Native was misleading him. The Native was badly wounded, and required carrying, which was entrusted to us. Orders were given that we were to take him the same day to Mapumulo, and we were given four friendly Natives to help us, as also to guide us. Three of them, however, as soon as the troops were out of sight, deserted us, and the fourth, though he remained with us, declined flatly to go with us to Mapumulo, as he feared that, without an escort, we might be cut to pieces by the enemy. Fortunately, the troops were yet within reach. The Sergeant-Major, therefore, reported the matter to the proper officer, and fresh orders were given that the wounded Kaffir should be taken the next day, and that in the meanwhile we should nurse and feed him. The whole of the troops encamped for the night in the valley, and the following day we resumed our march with our precious charge, with orders to go to Mapumulo. We were given about 20 Kaffir levies to help us. They did so with much difficulty over part of the way, and then, too, because Doctor Savage happened to be with us. The Natives in our hands proved to be most unreliable and obstinate. Without constant attention, they would as soon have dropped the wounded man as not, and they seemed to bestow no care on their suffering countryman.

INDIAN RESOURCEFULNESS

However, the Indian bearers carried him to Mapumulo in splendid style. All our resourcefulness was put to the test during the march. After we had finished the most difficult part of our journey along a narrow and steep pathway, the Japanese stretcher on which we were carrying the patient, who was very bulky, gave way, fortunately without hurting him. The railway stretcher, on which he was first carried, had already broken under his weight. What were we to do? Luckily, we had skilled men among us. We temporarily mended the railway stretcher, and took our charge safely to Mapumulo, reaching there about 4 p.m., a distance probably of over 15 miles.

After a day's rest in Mapumulo, we returned, on the 13th, to Thring's Post, only to retrace our steps on the 14th to a spot near Mapumulo, where we are encamped for the present. With the capture of Messini and his fellow-chief, the rebellion seems to be over, and we are now resting, expecting orders every day to be disbanded. Thus, since the 3rd day of July, our Corps has accompanied all the important operations; and at the end of them, the writer of these notes is able to confidently assert that the little band is capable of performing any work that may be entrusted to it, and that can be done by any other such Corps.

Indian Opinion, 28-7-1906

395. SPEECH AT RECEPTION TO AMBULANCE CORPS

The Natal Indian Congress gave a reception to the Indian Stretcher-Bearer Corps which was disbanded on July 19, after six weeks at the front. Tributes were paid to the work of the Corps, to which Gandhiji replied. The following is an extract from a report of the proceedings.

DURBAN,
July 20, 1906

Thanking the organization on behalf of the Corps, Mr. Gandhi said that what the Corps had done was only its duty. If the Indians really wanted to show their appreciation of the work of the Corps, they should try through the Government to have a permanent Corps set up and should also exert themselves to improve their physique in order to qualify for admission. He said that if, for any reason, the traders could not enlist, other educated Indians as well as the servants and clerks of traders could easily do so. From experience gained during the fighting, he could say that the whites treated the Indians very cordially, and distinctions based on colour had ceased to exist. If a larger Indian Corps was formed on a permanent footing, such fellow-feeling would increase, and it was likely that in the process white prejudice against Indians might

altogether disappear. He therefore very strongly recommended the formation of such a Corps.

[From Gujarati]
Indian Opinion, 28-7-1906

396. STATEMENT ON THE DIAMOND JUBILEE LIBRARY

At a meeting of the Natal Indian Congress held in the Congress Hall it was decided, among other things, to present silver medals to members of the Stretcher-Bearer Corps. The question of the management of the Diamond Jubilee Library also came up for discussion. Gandhiji made the following statement, which is an extract from the report of the proceedings.

DURBAN,
July 23, 1906

The Diamond Jubilee Library was started to mark the Diamond Jubilee of Queen Victoria's rule. The ownership of the Library was vested in a special committee, which was also entrusted with its management, and the books were kept in the Congress Hall.[1] As the Lallubhai Library is not functioning at the moment, I saw the President of the Library, Mr. Ravishankar Bhatt, about bringing the books back to the Congress Hall, and he has agreed to return them. I have still to see one or two other gentlemen in this connection, and after securing their consent, the requisite transport will be sent to fetch the books.

[From Gujarati]
Indian Opinion, 28-7-1906

397. TRANSVAAL PERMITS

In view of the recent decisions[2] of the Supreme Court of the Transvaal on the Peace Preservation Ordinance, it is necessary still further to examine the legal position created by those decisions. The dismissal by the Supreme Court of the application by the Attorney-General for a review of the Bhyat case leaves the question raised in that case undecided. Whilst, therefore, the Magistrate at Volksrust is bound by his own decision, and to recognise the Dutch Registration Certificates as equivalent to permits, we have no pronouncement from the Supreme Court endorsing the magisterial view. And in the face of the contention raised by the Attorney-General, the state of the law is one of painful uncertainty to the Indian refugees. Other magistrates may unconsciously attach weight to the argument advanced on behalf of the Crown. It may then come to pass that an Indian holding the Dutch certificate may safely re-enter

1 *Vide* Vol. II, p. 320 and Vol. IV, p. 331.
2 *Vide* "An Important Permit Case", pp. 360-1.

the Transvaal through Volksrust, and another equally qualified, passing through, say, Komatipoort, may be prevented from so doing. Not even the most violent anti-Asiatic would, we presume, be able to justify such a deplorable state of things. The Supreme Court decision on the registration law bears out the whole contention of the Indian community. Can Lord Selborne still claim for the Transvaal administration a reasonable spirit in the enforcement of the Peace Preservation Ordinance and Law 3 of 1885? We trust that the ever-vigilant British Indian Association will invite His Excellency's answer to the query.

Indian Opinion, 28-7-1906

398. LETTER TO W. WEDDERBURN

[JOHANNESBURG,]
July 30, 1906

SIR WILLIAM WEDDERBURN, BARONET
84-5 PALACE CHAMBERS
LONDON, ENGLAND

DEAR SIR,

I have just returned from the front. Although I cannot now be of any use in connection with the Report of the Constitution Committee, it is still the opinion of the British Indian Association that I should proceed to England accompanied by one or two merchants, not necessarily to influence the letters patent that will be granted but to place the British Indian position personally before the authorities. I shall, therefore, be obliged if you will kindly let me know by cable whether such a deputation is likely to be of any use whatsoever. If it is considered unnecessary, the word "needless" would explain the meaning. If you think that a deputation such as the above should proceed, please cable "yes". I do not know whether the end of September or October will be a suitable time.

I remain,
Yours truly,

From a photostat of the office copy : G. N. 2284

399. LETTER TO DADABHAI NAOROJI

21-24 COURT CHAMBERS,
CORNER RISSIK & ANDERSON STREETS,
JOHANNESBURG,
July 30, 1906

DEAR MR. NAOROJI,

I have just returned from the front. I have your letter telling me that you have forwarded to the Secretaries of State for the Colonies and

India our statement[1] submitted to the Constitution Committee. I enclose herewith copy of my letter to Sir William Wedderburn[2] for your information.

May I tender you my congratulations on the success of your granddaughter at her examination for the M. A. degree of the University of Edinburgh?

I am,
Yours truly,
M. K. GANDHI

THE HONOURABLE DADABHAI NAOROJI
LONDON, ENGLAND

[PS.]

This letter was too late last week even for the late post.[3]

From a photostat of the original : G. N. 2274

400. LETTER TO PRINCIPAL MEDICAL OFFICER[4]

[JOHANNESBURG,
July 31, 1906][4]

TO
COL. J. HYSLOP
PRINCIPAL MEDICAL OFFICER
NATAL MILITIA
PIETERMARITZBURG
NATAL

SIR,

The Indian Stretcher-Bearer Corps was disbanded on the 19th inst., and the Corps reached Durban on the 20th.

The Corps was called upon to do the work of disinfecting the camp at Mapumulo, of dressing injuries and wounds, and of marching with the troops and doing stretcher work. Most of the bearers accompanied the troops during the operations at the Tugela, the Otimati and the Umvoti Valleys. In my humble opinion, the men did the work willingly and skilfully. The object of the Natal Indian Congress, in offering to form the

1 *Vide* "Statement Presented to Constitution Committee", pp. 336-44

2 *Vide* the preceding item.

3 This is in Gandhiji's hand.

4 In his reply, Col. Hyslop, acknowledging Gandhiji's letter as of this date, conveyed the Militia Commander's thanks to the members of the Ambulance Corps and expressed his own appreciation "of the very valuable services afforded to the Medical Department of the Militia, not only as stretcher-bearers, but also in connection with the more important work of sanitation".

Corps, was to show that Indians recognized their responsibilities as settlers in Natal, and to induce the Government to utilise Indians as a permanent portion of the Natal Militia. I venture to think that my countrymen are essentially fit for ambulance and hospital work. Trooper Forder, whom we carried from Otimati, had, in addition to being carried, to be nursed by us, and he was so satisfied that he sought me out specially on his recovery to express his appreciation of the men's work.

The Corps consisted of some skilled English-educated Indians, as also of Indians of the labourer type, but all of them were intelligent workers, and capable in civil life of earning much more than what would be paid to them by the Indian community. As the community was anxious that its offer should be accepted, in order to avoid any difficulty, the men were induced to accept only one shilling and six pence per day, which they gladly did; but, in my opinion, it is not possible to get intelligent men for less than £1 per week.

I also think that those who may be called leaders of stretcher parties should receive five shillings per day.

Members of the Corps were all untrained and untried men; they were called upon, too, to do responsible and independent work, and to face danger unarmed. If the Government would form a permanent Ambulance Corps, I think that special training is absolutely necessary, and that they should all be armed for self-protection.

As one who has been intimately connected with the Indian community for the last thirteen years, I have ventured to place the above views before you for your consideration.

[*Yours faithfully*,]
M. K. GANDHI

Indian Opinion, 11-8-1906

401. JOHANNESBURG LETTER

THE DEPUTATION TO ENGLAND

[Before *August 4, 1906*]

A meeting of the Committee of the British Indian Association was held last Friday, the 27th. Messrs Abdul Gani, Essop Mian, Coovadia, Mahomed Shahbuddin, Gulam Saheb, Mahomed Hoosain, Bhikhubhai; also Messrs Haji Habib and Amod Tayob of Pretoria, Messrs Amod Bhayat of Heidelberg and Omar Haji Amod Zaveri of Durban were present among others.

It was decided, after some discussion, that it was still necessary to send a deputation to England, as we were concerned more with the laws that would be enacted in the Transvaal after the Constitution had come into effect than with the Report of the Constitution Committee. On

a proposal made by Haji Habib, it was resolved to ask for a grant of £250 out of the £1,000 sanctioned by the Natal Indian Congress towards the expenses of the deputation. Each member could draw up to £120 as expenses, and the rest of the amount might be used to defray the expenses of the deputation as a whole. Furthermore, the Congress might avail itself of any aid received from the Cape. The Secretary has been asked to write a letter to that effect. If two persons go on deputation, the expenses would be about £500. The Committee is of the opinion that the deputation should include Mr. Gandhi and a member from the trading class to represent the Transvaal. It has been decided to call for subscriptions at every place; the names of the members who should visit different places for the purpose have also been drawn up. The Secretary has been asked to write letters to various places, and these have actually reached all the principal towns in the Transvaal. If therefore the requisite amount is raised; if the Natal Indian Congress agrees to contribute from it up to £250 towards expenses; and if no instructions to the contrary are received from England, the deputation will, in all probability, leave in September[1].

War Claims

I append herewith the list of war claimants[2] that has been published in the Transvaal *Gazette*. It is necessary to draw the readers' attention to it, for the sums shown therein, if not claimed, will lapse at the end of the current year.

The Return of T.M.R.

The contingent which was despatched from here to reinforce the units engaged in suppressing the Native revolt, namely, the Transvaal Mounted Rifles, has now returned. It was received with much pomp and *eclat* by the people of the Transvaal. Big meetings were held in its honour and grand banquets given. The celebrations still continue. Reuter messages about the discharge of the Indian Stretcher-Bearer Corps and the good work done by it have appeared in the local papers.

[From Gujarati]

Indian Opinion, 4-8-1906

[1] It actually left in October.

[2] Of compensation for losses suffered during the Boer War

402. SECRET JUSTICE

Our Johannesburg Correspondent last week drew pointed attention to Mr. Loveday's approval of the work of the Permit Department regarding Asiatics,[1] and his endorsement of the appointment of an inspecting officer at the coast. There is much more behind this incident than appears on the surface. The public have no knowledge of the fact that there are what are practically secret advisory boards, which control the action of the Registrar of Asiatics who has charge of the issue of permits. For all practical purposes, therefore, the Registrar, although nominally the responsible officer for issuing permits, is merely an agent of the advisory boards, mechanically following their directions. Evidently, Mr. Loveday is the chief of these advisory boards, without being publicly appointed by the Government. Hence the innumerable difficulties placed in the way of British Indians, who have a *bona fide* right to re-enter the Transvaal.

We do not object to the greatest strictness being exercised in connection with applications of refugees, but we do emphatically object to the secrecy that shrouds the doings of these advisory boards. We are not aware that the parties who are immediately interested are heard before the boards or allowed to be represented. The boards alone know what evidence they take and what evidence they consider sufficient for establishing claims on the part of British Indians to re-enter the Colony. Under a system such as this, favouritism — it may be quite unconscious — must exist. Bitter complaints reach us from all sides as to the rejection of claims that are easily provable. Boys of tender years are kept out of the Colony by these boards, which have been arbitrarily armed with powers to decide upon the applications of British Indian refugees.

It is a strange method of dealing out justice to entrust avowed partisans with the duty of judging their opponents or persons whom they have hitherto traduced in unmeasured terms. The least that the Transvaal Administration owes to British Indians is that they should be able to know their position definitely. Severest rules of procedure, if well defined and well understood, would be preferable to the hole-and-corner enquiry that is now being held as to British Indian permits. No Indian can today feel safe that he can re-enter the Transvaal without difficulty, on production of evidence of his prior residence. The conditions which the Transvaal Administration has created for the unfortunate British Indian refugees are most unsatisfactory, and discreditable in the extreme. It has gone very much further than Natal or Cape Colony, where, no matter what the restrictions are on immigration, everyone knows the legal position, and everyone is capable of asserting it in a Court of Law. It is a state

[1] In "Johannesburg Jottings", *Indian Opinion*, 28-7-1906

of things which it is the duty of every lover of justice and fairplay to see ended.

Indian Opinion, 4-8-1906

403. MR. BYTE'S WILL

We published in our last issue a brief account of the late Mr. Byte's will[1] which deserves to be taken note of by rich Indians. Mr. Byte earned millions of pounds in South Africa, and gave away the best part of that fortune to that country. Being an alien and having earned his name and fortune under the aegis of the British flag, he has provided for the wide-spread spending of a considerable part of his fortune in England as well. He has thus directed that his millions be used for deserving causes. The major portion of his legacy is to be spent on education. He has donated hundreds of acres of land in Johannesburg where a huge educational centre is to be set up; it is due exclusively to his munificence that the University of the Transvaal has come into existence. Such generosity has been an important factor in the progress of the whites. They know how to make money and also how best to spend it. We are backward in both respects, particularly in spending money aright. Even when we spend it, we do so indiscriminately, and largely for selfish ends or on personal pleasures.

To take the example of South Africa, there are few among us who have spent their money on the proper education of Indian children. It behoves us therefore to bear in mind such examples as Mr. Byte's. It is our prime duty to provide all the necessary means for the education of Indian children in South Africa. Our second duty is towards women's education. As long as our women do not realise their duty as mothers, the Indian people are bound to remain backward. And, thirdly, it is the duty of all gainfully employed, adult Indians to find some time at night to receive education. To do all this, money is needed. If Indians would come forward to emulate Mr. Byte, these things could easily be done. It is quite proper that we demand rights in South Africa and it is unjust that we should be denied those rights. We must, however, admit that we do not deserve them fully. It takes two to make a quarrel, and had we been without faults, we would not suffer in this land the hardships that we do.

[From Gujarati]
Indian Opinion, 4-8-1906

[1] A Gujarati news item in *Indian Opinion*, dated July 28, 1906, said that, under Mr. Byte's will, £1,200,000 had been donated for improving transport and communications in South Africa, £200,000 for founding a University in Johannesburg, £20,000 for education in the Transvaal, £15,000 for education at Kimberley and £15,000 for education in the Cape Colony.

404. EGYPT AND NATAL — A COMPARISON

Is This Civilization ?

A controversy is going on in England about what the Natal army did during the Kaffir rebellion. The people there believe that the whites of Natal perpetrated great atrocities on the Kaffirs. In reply to such critics, *The Star* has pointed to the doings of the Imperial army in Egypt. Those among the Egyptian rebels who had been captured were ordered to be flogged. The flogging was continued to the limits of the victims' endurance; it took place in public and was watched by thousands of people. Those sentenced to death were also hanged at the same time. While those sentenced to death were hanging, the flogging of the others was taken up. While the sentences were being executed, the relatives of the victims cried and wept until many of them swooned. If this be true, there is no reason why there should be such an outcry in England against the Natal outrage.

[From Gujarati]

Indian Opinion, 4-8-1906

405. JOHANNESBURG LETTER

August 4, 1906

The Elgin Constitution

The resolution to grant a new Constitution to the Transvaal and the details that have been published regarding it are at present a subject of public discussion. There is, of course, a good deal of difference between the Constitution awarded last year by Mr. Lyttelton and the one now proposed by Lord Elgin.

According to the Lyttelton Constitution, the governance of the country was to continue in the hands of the British bureaucracy. According to Lord Elgin's, it will be carried on by the party which has a majority of elected members [in the Legislature]. This is the main difference between the two. The Lyttelton Constitution envisaged representative government, that is, a government consisting of men who understand the wishes of the people, while the Elgin Constitution proposes responsible government, wherein the executive will be responsible to elected members; so that the latter can, if they will, remove it from power. In Ceylon and Mauritius, there is representative government; Natal and the Cape Colony have responsible government.

Another great difference is that Lord Elgin's Constitution places the Boers in a position in which they can form a government. Thus either the Boers or the British can come to power in the Transvaal, as indeed

they can in the Cape. The Constitution has not yet been drafted, but Mr. Churchill has said that this would soon be done. The drafting will take about three weeks, and the Parliament elected under the new Constitution is not likely to meet before January.

Place of Indians

What will be our position under the new set-up? It is a very difficult question to answer. Nothing definite can be learnt from reports of Mr. Churchill's speech cabled here. Our situation could not be worse. In any case, it is certain that, whatever new laws are made, they will not be enacted before January next.

Natal and the Transvaal

The unification of Natal and the Transvaal is being discussed. Some men of experience and influence favour this course of action. A gentleman named Mr. Soutter has expressed his views on the subject in *The Daily Mail*. He says that, if the two are united, the "Indian Policy" of Natal will have to be revised. The Editor of *The Daily Mail* thinks that it will be very difficult for Natal to merge in other States so long as it imports indentured labour.

The State of South Africa

Underlying all the thoughts in people's minds is the poverty of South Africa. At present, trade is slack and land prices are very low. People are desperately looking around to see how matters can be improved. But all things considered, one is driven to the conclusion that, for another two years, there can be no hope of any appreciable change. According to what economists call natural laws and men of faith, the will of God, it appears that conditions change from moment to moment. He who rises must fall. This is true of a country as well. In the vicissitudes of life, South Africa has seen good days, and now it is her turn to go through bad ones. She has not yet passed through even two lean years. Sometimes it takes three, five or even seven years for a change to set in. If this is true, it will take at least another year and a half for present conditions to change. In the meanwhile, those who are patient and live within their means[1] will win through. The rest will be washed away with the tide.

A Discussion in the Legislature about Asiatics

In the Legislative Council today, Mr. Duncan gave the following information :[2]

> When the Council meets again, the Government proposes to introduce a Bill for the registration of Asiatics. That legislation would be in fulfilment

1 The Gujarati idiom literally means "...draw the sheet and stretch or huddle according to its size".

2 This version of the Colonial Secretary's speech has been collated with an English report from *India*.

of the policy of the Imperial Government with regard to Asiatics in this Colony: first, to afford just and fair treatment to those Asiatics who are already here and settled in this country; and secondly, to leave to the responsible government the question whether or not to allow new Asiatics to enter the country, and if they are to be allowed, under what restrictions. That is the policy the present Government has been attempting to carry out with the approval of the Imperial Government, and in doing so, it has had to rely upon the law passed by the Boer Government as well as the permit law[1] of the present Government. Experience has shown that these laws are not adequate to prevent the Asiatics from entering the Colony; for doubtless many Asiatics who had no title to enter the Colony have entered it on false evidence. Those who have never been in the Transvaal before have made false declarations in order to come in. The law regarding registration is vague; whenever a serious attempt was made to apply it, it led to litigation in the courts. We have therefore to accomplish two things : give fair and just treatment to those who were here before the war; and prevent an influx of Asiatics into this country before a responsible government is established. We should therefore get all the Asiatics now resident in the Transvaal registered afresh. They should take out [fresh] registration certificates, so that nobody may question their *bona fides*. Simultaneously, it is proposed to remove certain disabilities under which these Asiatics labour. No material changes in the law regarding ownership of land are envisaged. But it is proposed to enact a law which will enable Asiatics to hold the land on which their places of worship are built; again, the heirs of those who held land before the passing of Law 3 of 1885 will be enabled to inherit it. Furthermore, it is also proposed to make certain modifications in the existing permit law which will enable Asiatics to visit the country temporarily.

The statement is so important and disturbing that the Committee of the British Indian Association proposes to take immediate action on it. It is very doubtful now if the deputation can proceed to England in the immediate future.

[From Gujarati]

Indian Opinion, 11-8-1906

406. JOHANNESBURG LETTER

[After] *August 4, 1906*[2]

The Deputation

The deputation to England has for the present been postponed as a result of Mr. Duncan's statement, which I sent last week.[3] Some persons were under the impression that the deputation was to visit England only in connection with the Report of the Constitution Committee, and that, since the nature of the Constitution to be granted to the Transvaal had been decided upon, there was no longer any point in sending the depu-

[1] The Peace Preservation Ordinance

[2] This date seems to have been retained from the previous issue through oversight. This despatch must have been written after that date.

[3] *Vide* "Johannesburg Letter", pp. 381-3.

tation. This is a mistaken view. For, in the matter of the Constitution, there was little that the deputation could have done. Whatever laws are contemplated will be enacted later [that is, after the Constitution comes into force]. Even now we can approach the Imperial Government and represent before them our case regarding those laws. The deputation can therefore go to England to some advantage only so long as the Transvaal Parliament has not met and it is not known what new laws are going to be enacted. So far I have referred to the Transvaal only; but if and when the deputation does go, it will be its duty to take up the entire South African problem. This can be done whenever it may be that the deputation visits England. Moreover, if our case is put before our sympathisers who are already working on our behalf, they will understand it the better and will be better able to lend us active support. Furthermore, we would then get help from all parties. The Congress Committee[1], the East India Association and other bodies are agitating on our behalf. If all of them could be brought together and a committee formed, it would help us a great deal. It is thus clear that the deputation, if sent, is bound to have some effect.

Mr. Duncan's statement, as I have pointed out, has served to discourage the idea of sending a deputation. A communication in the matter had already reached England last week. *The Rand Daily Mail* has published a letter from Mr. Gandhi[2] on the subject. The British Indian Association has asked for a copy of the Bill referred to by Mr. Duncan. And as soon as it is received, petitions will be despatched. The situation is very serious; and we can save ourselves from this fresh attack only if we put up a tough fight.

As for the permits, on the one hand, new anti-Indian Acts are being drafted and, on the other, severity in dealing with Indians is increasing. Mr. Burgess has been inspecting the ports, and, as the rumour goes, many men have been obliged to return. One does not get a permit even after much inconvenience. It would seem that one can get a permit only if Mr. Loveday chooses to grant one. The issue of a registration certificate to children has been stopped; but in that case children should be free to enter. A question has been raised on this matter. Mr. Lichtenstein has written to the Colonial Secretary in strong terms pointing out some instances that serve clearly to illustrate the inconveniences encountered at the Permit Office. I give below some of these instances.

(1) When a letter was addressed to the Registrar regarding Shaikh Daud on June 21, he was informed that the decision would be arrived at when the Advisory Board met, but that it was not certain when the Board would meet. On July 10, he received a communication on the same subject saying that his application had been forwarded to the Advisory Board.

1 British Committee of the Indian National Congress

2 *Vide* "Letter to *The Rand Daily Mail*", pp. 387-9.

(2) On an application being made about a minor son of Hafejee Musa, the Registrar demanded proof of his age, etc. The evidence was produced on June 21. A reply was received on June 26, which said that the matter would be investigated in Natal.

(3) A permit was refused to Sakoor Nanjee despite the evidence of a disinterested physician and of the District Surgeon of Pretoria that he was only 16 years old.

(4) Though medical evidence has been produced to prove that Ebrahim Amod is only 12 years old, the Permit Office insists that the boy's age is 16.

Mr. Lichtenstein has cited 14 such examples. It remains to be seen what kind of a reply he will receive.

Railway Hardships

The British Indian Association is still carrying on correspondence [with the railway authorities] in the matter of certain trains between Pretoria and Johannesburg, by which Indians are either not allowed to travel at all or are made to sit in the guard's compartment. In deference to the General Manager's wishes, the Association temporarily agreed to the restriction relating to the 8-30 morning trains both ways. The General Manager wants such restriction to apply to the 5-30 train in the evening as well. The Association has refused to agree and, consequently, the matter is still under discussion.

[From Gujarati]

Indian Opinion, 18-8-1906

407. LETTER TO DADABHAI NAOROJI[1]

JOHANNESBURG,
August 6, 1906

THE HON'BLE D. NAOROJI

DEAR SIR,

The Colonial Secretary, Mr. Duncan, has made a statement in the Legislative Council of which I send you copy herewith.

The statement is most extraordinary, and if legislation is introduced based on it, frightful injustice will be done to the Indian community.

[1] This letter as well as the one dated August 13 (p. 393) seems to have been addressed to Dadabhai Naoroji and some others, including the editor of *India*. The notings on the two letters, presumably by Dadabhai Naoroji, show that both of them were replied to on September 6, 1906 and that he deleted the last seven words of the first paragraph and the last two paragraphs of the first letter, added to it the last two paragraphs of the second and forwarded it to Mr. Morley and Lord Elgin, as we are informed by *India* in its prefatory note to the statement which it published as " from a well-informed correspondent ". Except for a few verbal changes, this is the same as the one sent by Dadabhai Naoroji to the two Secretaries of State.

There is not a vestige of justice and fair treatment about the proposed legislation. Robbed of the soft words which clothe it, it means that every Indian in the Colony will have to be now registered for the third time without the slightest excuse. Land is to be registered in the names of Indian trustees for religious purposes, but this is no gain whatsoever as the Supreme Court has decided that such land can be registered in spite of Law 3 of 1885. The only relief that is to be granted is in one individual case about which I have already written to you,[1] namely, that of the estate of the late Aboobaker Amod, and if that relief is granted, it is not a question of just and fair treatment but it is a question of simple duty to be discharged by the British Government towards an individual British subject.

If the proposed legislation is passed, the position of the British Indian will, as a matter of fact, be much worse than it is now. It should not be forgotten that the £3 registration is not an annual tax. Those who are in the Colony have paid the £3 and, under Law 3 of 1885, they cannot be called upon to pay over again. The proposed remission is, therefore, totally meaningless, for it is not to apply to newcomers, who are to be barred entirely until the coming Responsible Government chooses to pass an immigration law which may impose very severe restrictions. The question of granting visiting permits is also, I have no hesitation in saying, a blind, because such permits can be legally granted even under the existing law. That they are not granted where they ought to be is a discredit attached to the Government from which it cannot free itself by passing new legislation. I very much fear that the real situation is not understood by the Imperial Government, and that the local Government has evidently convinced the Imperial Government that, by passing legislation in the direction sketched by Mr. Duncan, they would be really granting concessions.

I have said before that, under the proposed legislation, the position would be much worse. I say so because I know that endless mischief is likely to be caused by new legislation. Indians were registered during the [rule of the] Dutch Government; registration then was simple. They were again registered after British rule was established; registration was then much more complex, and respectable Indians have been called upon to put their thumb-impressions. The third registration, if it comes at all, will, it is needless to say, be stricter still. All this because a few Indians who were not resident before war have stolen into the Colony and if they have done so, it is owing to the corrupt officials who were in charge at one time of the Permit Department. The matter had become so serious that, on the initiative taken by the British Indian Association, these officials were arrested and criminally tried. They were discharged by an indulgent jury but the Government was so satisfied of their guilt, that both these officials were discharged.

1 *Vide* "Letter to Dadabhai Naoroji", p. 240.

I hope, therefore, that unless some substantial justice can be done to British Indians before Responsible Government is granted, and unless the British Government will, in accordance with pre-war promises, put them, in its own words, on the same footing as British Indians at the Cape, it will be infinitely better that Law 3 of 1885 remained as it was and that the whole question was considered by Responsible Government.

Of course, all these remarks will still leave it free to the Government to do justice in the case of the late Aboobaker Amod with which, after all, the British Indian community as a whole is not concerned.

The unforeseen situation having arisen here, the question of a deputation proceeding from South Africa must remain in abeyance, as all the energy will have to be concentrated upon preventing this latest proposal to perpetrate an injustice on the British Indians in the Transvaal.

I venture to think that a personal interview with the Secretary of State for India as also the Secretary of State for the Colonies is necessary.

I remain,
Yours truly,
M. K. GANDHI

[PS.] I have run short of the cuttings and I cannot get them as today is a Bank holiday.[1]

M. K. G.

From a photostat of the original signed by Gandhiji : G. N. 2275

408. LETTER TO "THE RAND DAILY MAIL"[2]

[JOHANNESBURG,
Before *August 9, 1906*]

[TO
THE EDITOR
The Rand Daily Mail]

SIR,

I trust you will permit me to offer a few remarks on your leading article regarding the Asiatic legislation foreshadowed by Mr. Duncan in what I would venture to term his extraordinary statement. In his brief pronouncement he thrice told his hearers that it was the desire of the Government to accord to the resident Asiatic population "just and fair treatment" and that it was for that reason that the legislation described by him was to be introduced, on the Legislative Council reassembling.

You have considered that the Ordinance to be passed will mean generous treatment of the resident Asiatic population.

[1] This is in Gandhiji's hand.
[2] This was reproduced in *Indian Opinion*, 11-8-1906.

I very much fear that there is absolutely no generosity about the proposed legislation, but that it will fall very far short of even "just and fair treatment". Re-registration is certainly not part of such treatment, and it is perfectly meaningless. Every Indian who has entered the Colony is supposed to have been registered for the most part for the second time. The second registration was, in reality, a concession to the Permit Department, which was at the time very much appreciated. A third registration is not a remedy for the evil of alleged fraudulent entrance of Asiatics into the Colony. It is easy enough to examine the present registration certificates of the resident Asiatic population, and to prosecute those who are without them. The British Indian Association has denied the charge of any wholesale fraudulent entrance. There will always be a few people prepared to break laws, no matter how stringently devised and how well enforced. To brand as criminals a whole community — for that is what re-registration implies — is hardly "just" or "fair".

But Mr. Duncan says, in consideration for a fresh registration, he would give four things to the Asiatics, namely : (1) abolition of the £3 tax; (2) permission to the Asiatics to hold land for religious purposes; (3) permission for those Asiatics who held land before Law 3 of 1885 came into force to transmit same to their heirs; (4) authority to issue temporary permits to Asiatic visitors.

Now the first concession is, shall I say, a mere blind. It should be remembered that it applies to those only who are resident in the Colony, or perhaps to those who, being pre-war residents of the Transvaal, have a right to re-enter. The resident population has already paid the £3 and the majority of those who are still outside the Colony have also done likewise. There is no warrant in the existing legislation to charge the £3 fee twice. It is not an annual tax, but it is a fee that has to be paid once for all under Law 3 of 1885 by Asiatics who wish to settle in the Colony.

Nor is there any merit about the proposed authority to be given for holding land for religious purposes because it is possible to do so under the existing law. The Superior Courts have decided that Coloured persons can, as a corporate body, hold land for religious purposes.

The third grant would have been a concession, if it was applicable to any large body of Asiatics. Mr. Duncan well knows that there is only one such piece of land. It would be a performance of simple duty to allow the heirs to hold their two-fifths of an erf in the Transvaal, and in any case, in doing so, it is not the community that will receive justice but an individual.

The fourth, of course, is again no concession. Mr. Nomura and Mr. Manga suffered not because there was no authority to issue temporary permits, but because there was a disinclination to exercise the authority. The difficulty, therefore, lies not in the law but in its administration.

I hope I have thus clearly shown that there is no question of "just and fair treatment" of the resident Asiatic population behind the forecast given by the Colonial Secretary on Saturday last. On the contrary,

Damocles has again raised his sword [*sic*] over the heads of the poor Asiatics who, because of their belief in the sanctity of the British subject idea, have ventured to migrate to the Transvaal. There is no trace in Mr. Duncan's statement of the fulfilment of the promises made before the war and, even after it, by Lord Milner and other representatives of the Crown.

And if I may repeat what I have already said, what is it that British Indians (to distinguish them from other Asiatics) want? They accept the doctrine of the Transvaal having the right to regulate immigration, and they — although such was not the case during the Dutch Government — are quite willing that restrictions after the Cape or the Australian Immigration Law applying to British subjects may be imposed on them; but as against that, they claim that those British Indians, who have settled in the country, ought to have full civil liberty, namely, the right to move about freely, the right to own land subject to such general restrictions as may be imposed to provide against speculative acquisition, and the right to trade subject again to such municipal restriction as may be deemed advisable in the interests of sanitation and of fair trade. It will be only when this elementary right of the British Indian is recognised, and not till then, that it will be possible for any representative of the Crown to say that British Indians are receiving "just and fair treatment".

Remember, there is no attempt in the above statement to claim any political rights. British Indians only ask for what can easily be given, even by those who believe in the gospel of a white South Africa, if, that is to say, South Africa, to paraphrase Lord Selborne's words, is to be white not only in the exterior but also in the interior.

Yours, etc.,
M. K. GANDHI

The Rand Daily Mail, 9-8-1906

409. "FAIR AND JUST TREATMENT"

On the adjournment of the Legislative Council of the Transvaal on Saturday last, the Colonial Secretary, Mr. Duncan, made an important statement on the proposed Asiatic legislation. In the course of his statement, which occupies only half a column of the *Transvaal Leader*, Mr. Duncan has thrice repeated that Asiatics resident in the Transvaal are entitled to "fair and just treatment". The honourable gentleman then proceeds to expound his meaning of such treatment. We have never seen a pronouncement so misleading as Mr. Duncan's and we can only hope that he is himself labouring under a mistaken view of the Law 3 of 1885, and has therefore come to the conclusion that, by the legislation he foreshadowed on Saturday last, he is really granting substantial relief. We will now proceed to shew that, instead of the legislation in question granting any relief at all to the Asiatic community settled in the Transvaal, it will simply cause intense irritation, and probably take away from the community what it already possesses.

Mr. Duncan has promised four things :

(1) Fresh registration of all Asiatics in the Colony.
(2) Abolition of the £3 registration fee.
(3) Permission to the Asiatic religious communities to hold land for religious purposes.
(4) Permission to the heirs of those Asiatics, who held land before the Law 3 of 1885 was passed, to get the same transferred in their own names.

The first proposal is most mischievous and most dangerous, and it is because the Government wishes to push it through that the last three are to be given as a sop, although even the first has been so cleverly put by Mr. Duncan as to give the impression that it is to be undertaken in the interests of the Asiatic community.

Let us go back to the past. Indians who held registration certificates from the Dutch Government were not called upon by law to take out any fresh registration certificates, but in order to have the same system applicable to all, when Lord Milner decided to enforce the Law 3 of 1885 as to the £3 fee, on representations made by the then Chief Secretary for Permits, British Indians consented to have fresh registration certificates on which were to be impressed thumb-prints. This procedure has since been uniformly followed. Let it be remembered that it was admitted by the Chief Secretary for Permits, acting under legal advice, that there was no legal obligation on the part of the Indian community to take out fresh registration certificates. When, therefore, the British Indian Association consented to the proposal, it was naturally gratefully appreciated.

The hardships that the community had to undergo, when fresh registration took place, are still vivid in the minds of many Indians. They have not forgotten that they were practically pulled out of their houses in the early hours of the morning. Mr. Duncan now says that this registration is useless. Why, we do not know. It is therefore proposed to register the whole of the Asiatics [*sic*] over again, as if they were criminals. Mr. Duncan says that many Asiatics — one could wish he had discriminated between Asiatics and Asiatics, and said whether in his remarks he referred to British Indians, or Chinese, or other Asiatics — who had not previously resided in the Transvaal, entered the Colony under false declarations. We grant, for the sake of argument, that this is so. How is fresh registration to remedy the evil, and why should the majority of innocent men suffer because of the guilty few?

And may we here remind Mr. Duncan that, if some Asiatics have so entered the Colony, they have done so because of the corruption that was at one time rampant in one of the Chief Asiatic Offices. But, as a matter of fact, the British Indian Association has stoutly denied the charge that an appreciable number of Asiatics have entered the Colony under false declarations. In any case, it is a matter for judicial enquiry, and the Peace Preservation Ordinance is clear enough to meet cases of such description.

The second concession is again no concession at all. We hope Mr. Duncan is not thinking of the registration fee as if it were an annual charge. It is a fee only to be paid once. All Indians who are resident in the Colony, and who are by law required to pay the registration fee, have already paid it. Wherein, then, does the remission come into play? It certainly does not apply to the future new immigrants, because the door is to be completely barred against them until it is opened by the Responsible Government, under such conditions as it chooses to lay down. The abolition of the £3 fee, therefore, is totally meaningless.

Dealing with this subject, Mr. Duncan was pleased to say that the registration law proved a failure each time an attempt was made to seriously administer it. This is hardly correct. It has undoubtedly proved a failure when the Government has attempted to import into the law a meaning which the late Dutch Government never intended to give it. The law requires registration of those Asiatics who intend to settle in the Transvaal for purposes of trade or otherwise. The local Government wanted to go further, and wished to register Indians, whether they were children or wives, or whether they wanted to trade or not. In this attempt, the Supreme Court has frustrated the Government. Is the law, therefore, vague and uncertain? The answer, from any unbiased person, would be an emphatic "No". It is uncertain only to those partisans who wish to impose on Indians disabilities which the late President Kruger and his Government never even dreamed of.

The third concession is that relating to land held for religious purposes. The Witwatersrand High Court has laid it down that such land can be held by any Coloured persons, and as a matter of fact, British Indians have now ceased to trouble the Government for any such permission, and are preparing to have Mosque properties in the Transvaal duly registered in the names of Indian trustees. They, therefore, do not require any authority or protection from the Government. Thus, here again there is absolutely no concession given to the Asiatics.

The fourth is undoubtedly a concession, but it does not affect the Asiatic community as such. It is meant to give relief in only one individual case. There is only one piece of property in the Transvaal that was held by an Indian before Law 3 of 1885 came into force — two-thirds[1] of an erf in extent — and if relief is granted in that case, and the property is allowed to be held by the heirs, it will be a case of the British Government performing its simple duty to an individual British subject. To dignify such a proposal by the name of a concession to the Asiatic community is to offer an insult to its intelligence.

So far, therefore, as Law 3 of 1885 is concerned, its repeal in the manner foreshadowed by Mr. Duncan is totally unnecessary, and will give rise to endless difficulties, from which perhaps British Indians are at present free.

[1] On p. 388 the area is mentioned as two-fifths of an erf.

Regarding the Peace Preservation Ordinance, Mr. Duncan mentioned that provision would be made for permits being granted to visitors. This again is, we would say with deference, a mere blind. Hitherto, no provision has been found necessary for granting such permits. It is true that the Government have raised difficulties in granting them, and it is, on that account, the greater discredit to them. They cannot free themselves from it by now sweetly talking of providing for temporary permits, which the law has ever allowed them to grant, but which, from fear of anti-Indian agitators, they have hitherto declined to do.

Mr. Duncan, again, says that the policy defined in his statement has been the policy of the Imperial Government, as also the local Government. This is hardly consistent with facts, because the policy of Lord Milner was that, even before the Responsible Government was granted, Asiatic legislation should be brought into line with British traditions, and Indians, who were either qualified by education or other attainments, should be placed on an equality with the other subjects of the Crown in the Transvaal. Such also was the policy laid down in Mr. Lyttelton's dispatch. Mr. Duncan's statement, therefore, is a distinct retrogression from what was intended either by Lord Milner or, later on, by Mr. Lyttelton.

We ask whether the thrice-repeated declaration of "fair and just treatment" has any foundation in fact, or is it that, in Lord Lytton's words, "promises given to the ear are to be broken in practice", and that the effect of Mr. Duncan's declaration is to be exhausted in mere words?

Indian Opinion, 11-8-1906

410. SPEECH AT HAMIDIYA ISLAMIC SOCIETY

A meeting of Indians was held in the 17th Street Hall in the Malay Location, under the auspices of the Hamidiya Islamic Society of Johannesburg, then recently formed. Abdul Gani and Gandhiji, President and Honorary Secretary respectively of the British Indian Association, were among the invitees. On being requested by the President of the Society to address the gathering on the Political condition of the Transvaal Indians, Gandhiji made a speech, of which the following is a brief report :

JOHANNESBURG,
August 12, 1906

Mr. Gandhi, at the outset, thanked the Hamidiya Islamic Society and expressed his pleasure at the formation of this body. He regretted the controversy that was going on among the people over the question whether the Society had been formed in opposition to the British Indian Association. He declared that this impression was absolutely incorrect and added that, on the contrary, the new Society would serve to strengthen the British Indian Association and the two would help each other in future.

Speaking on the present political condition of Indians in the Transvaal, Mr. Gandhi cited Mr. Duncan's statement and explained at length how the situation was very serious. Pointing out the need for organizing a strong protest against this statement, he advised that the deputation to England be postponed. Adverting to the weak financial position of the British Indian Association, Mr. Gandhi called upon all those present to contribute to its funds. He also expressed the hope that the formation of such societies would greatly help the Muslims, who were backward in education, and appealed to them to do their best to overcome this disadvantage.

[From Gujarati]

Indian Opinion, 25-8-1906

411. LETTER TO DADABHAI NAOROJI[1]

P. O. Box 968,
JOHANNESBURG,
August 13, 1906

DEAR SIR,

The current issue of *Indian Opinion*[2] gives fullest information about the proposed change by Mr. Duncan in the Law 3 of 1885. Portions of Mr. Lyttelton's and Lord Milner's despatches and the full text of Law 3 of 1885 are also given.

It will be seen at a glance that Mr. Duncan is very much restricting the scope of the despatches in his proposed legislation. Neither Mr. Lyttelton nor Lord Milner have [*sic*] even mentioned anything about re-registration, and both of them have laid down that better-class Indians should, at least, have full rights, so that for Mr. Duncan to state that he is carrying out the intentions of the Imperial Government is wide of the mark unless the Liberal ministers have veered round entirely and propose still further to curtail the liberty of the British Indians than what the Conservative ministry was prepared to do.

I certainly think that while the Transvaal is under Crown Colony Government the Imperial Government should pass equitable legislation even though it may be as Lord Milner puts it "by using official majority and then throw the burden on the Responsible ministry of changing it if it dare to do so".

I remain,
Yours truly,
M. K. GANDHI

From a photostat of the original : G. N. 2276

[1] The original does not bear the addressee's name, but this letter was found in the Dadabhai Naoroji collection. *Vide* also "Letter to Dadabhai Naoroji", pp. 385-7.

[2] Dated 11-8-1906

412. PETITION TO LORD ELGIN

DURBAN,
August 13, 1906[1]

TO

HIS EXCELLENCY THE RIGHT HONOURABLE THE EARL OF ELGIN, P.C., &c.
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE COLONIES
LONDON, ENGLAND

HUMBLY SHEWETH THAT

Your Petitioners beg to draw Your Excellency's attention to the Municipal Corporations Consolidation Bill passed recently by the Natal Parliament.

Your Petitioners have noticed with thankfulness Your Excellency's despatch endorsing some of the objections raised by the Indian community to the Bill in question.

Your Petitioners, however, feel aggrieved that one of the objections raised against the Bill by your Petitioners has not been considered by Your Excellency, namely, the proposed disfranchisement of British Indians as voters at municipal elections.

When the Bill was under consideration by the Natal Parliament, the Indian community presented a petition[2] embodying its objections to the Bill, copy of which is hereto attached for Your Excellency's information.

British Indians resident in Natal feel that, if they are deprived of the municipal franchise, it will be a very serious grievance and will be a departure from the declaration of the responsible statesmen of Natal at the time the measure disfranchising Indians as to the Parliamentary vote was passed. It was then recognised that, if India did not possess parliamentary institutions, it certainly enjoyed municipal institutions, and that there were in India thousands of municipal voters.

No legitimate ground has been urged in favour of the contemplated disfranchisement. Indians do not aspire to any political power in the Colony of Natal, but they naturally resent interference with municipal liberty when they pay the same rates as the other ratepayers.

It has often been said that the Indian population in Natal is, for practical purposes, composed only of Indians of the indentured class. It is respectfully urged that such a statement would be hardly fair, in that there is at present in Natal a population of free Indians, who have paid their own passage-money, numbering about fifteen thousand, of whom

[1] This is the date on the printed petition, which does not bear the names of the signatories, but *Indian Opinion*, 18-8-1906, in which this is reproduced, gives it as August 15.

[2] This is not reproduced here. *Vide* Vol. IV, pp. 397-8.

the largest portion is to be found in Durban. These men belong to a very respectable class, and are mostly merchants and those connected with mercantile business. Some of them are even highly educated in the English language.

Your Petitioners humbly submit that to disfranchise such a class of people would be to subject them to uncalled-for degradation.

Your Petitioners, therefore, respectfully pray that Your Excellency will be pleased to favourably consider the subject matter of the petition and grant such relief as may be meet and proper.

And for this act of justice and mercy, your Petitioners, as in duty bound, shall for ever pray, etc., etc.

Dated at Durban this 13th day of August, Nineteen Hundred and Six.

[DAWAD MAHOMED
PRESIDENT,
O. H. A. JOHARI
M. C. ANGLIA
JOINT HON. SECRETARIES
NATAL INDIAN CONGRESS]

From a photostat of the original: C. D. 179, Vol. 243

413. LETTER TO HAJI ISMAIL HAJI ABOOBAKER JOHARI

P. O. Box 6522,
JOHANNESBURG,
August 14, 1906

MY DEAR SHETH SHRI HAJI ISMAIL HAJI ABOOBAKER,

Now there seems to be very solid ground for hoping that, within a short time, the land in Pretoria will be transferred to the names of both of you! Since Omar Sheth has already written to you of this, I need not dilate upon it.

I have always complained to Omar Sheth about the expenses there. These are hard times now in South Africa, and they are likely to become harder still. The prices of land have gone down by 66 per cent., and it would be no matter for surprise if they fell still further. The rent you used to get has decreased by a half and will further decrease. Even a well-furnished shop on the first floor in a place like West Street remains untenanted. If, in such bad times, you do not reduce your household and other expenditure, whatever property you have will be eroded. As it is, you are living, so to speak, on capital. That we are making some profit in trade is, however, a matter for satisfaction. But, then, that profit consists of stocks and of arrears collected from clients. The actual profit from trade cannot be reckoned precisely unless the final accounts are made up and goods converted into cash. I must say that Omar Sheth is living a very simple life. The house he lives in does not become a man of your status and reputation. The food is likewise simple. Besides, he

is at present staying with me and living a more than usually austere life. I am sometimes pained at this, but allow things to continue in the hope that he will ultimately benefit by it. For example, last evening he only had bread, butter, *papad* and cocoa for dinner, and walked with me three-and-a-half miles before turning in for the night. I do not mean to suggest that you yourself should go to these lengths; but I do wish to say that your monthly expenses should not exceed £25. People will criticise you for cutting down on expenses, but such critics are really no friends at all, for they will not help you to run your household. It is therefore the duty of those who realize their condition to think of the hard times and live accordingly. What more shall I say? I write in this strain because I wish well of you.

I hope you are all right.

The document pertaining to the sale deed which you have signed and sent here does not bear the signature of a witness. I am therefore returning it to you for getting it witnessed. Please return it after getting it signed by a witness and attested by the Political Agent under his seal and signature.

Salaams from
M. K. GANDHI

HAJI ISMAIL HAJI ABOOBAKER JOHARI, ESQ.
[PORBUNDER]

[PS.] You may send the enclosed documents through a State pleader to the Political Agent for signature.

M. K. GANDHI

From a photostat of the Gujarati original in Gandhiji's hand received from Jhaveri Brothers, Durban

414. INDIA FOR INDIANS

This today is the cry of thousands of voices in India. No one can say that India is today the home of a single people, but all of us wish it were. To bring this about, patriotic Indians have been suggesting all manner of remedies that occur to them. Among such Indians is the editor of the *Indian World* — a well-known monthly published from Calcutta. He says that India will not become a single nation until most of the people in the various parts of the country speak a common language. Though English-speaking people are found in the different regions, their number is as yet small and will always remain so, for the main reason that, since it is a foreign language and a difficult one at that, the common people will not be able to learn it. There is therefore little likelihood of India achieving nationhood through that language. For this purpose, Indians will have to choose one of the Indian languages. There are, of course, many Indians who can speak Gujarati, Bengali, Tamil and other

languages; but there is hardly any chance of any of these spreading throughout the country. One language remains, namely, Hindustani, which is spoken by North Indians. Derived as it is from Sanskrit and Persian, it suits Hindus and Muslims alike. Moreover, since the *fakirs* and the *sanyasis* both speak it, they help to propagate it throughout the land. Many Englishmen too study it. It is thus spoken over an extensive area. The language itself is very sweet, polite and spirited. Many books have been, and are still being, written in it. The editor of the *Indian World* therefore suggests that it should be taught in every school in India in addition to the mother tongue. Parents too should inculcate the habit of speaking Hindustani in their children from their formative years. Only then can India truly become a nation.

[From Gujarati]
Indian Opinion, 18-8-1906

415. JOHANNESBURG LETTER

August 18, 1906

Mr. Bhabha's Case

In deference to the counsel's unfavourable opinion, the appeal in Mr. Mahomed Suliman Bhabha's permit case, which was decided at Volksrust, has been withdrawn. On the advice of his counsel, Mr. Bhabha refused to leave the Transvaal within the notified time and was therefore prosecuted again. It was argued that the order passed by him could not prevent Mr. Bhabha from staying on in the Transvaal, as he had the right to enter the territory. But the Magistrate did not accept this plea and sentenced Mr. Bhabha to a month's simple imprisonment, the minimum laid down. Mr. Bhabha has now appealed again, and it is believed that he will win.

Important Judgment in Land Suit

This week, Sir William Smith has given an important decision on a petition presented to him. The well-known Sheth Mahomed Kasim Camroodeen of Johannesburg, whose entire land stood in the name of the late Mr. Chamberlain, wanted, on the latter's death, to get it transferred to the name of another European. On the Registrar's refusal to do so, the Sheth approached the court for an order of transfer. To begin with, Mr. Justice Smith himself raised an objection saying that the consent of the heir was necessary. It was argued before Mr. Justice Smith that the heir had no claim on the land. His Worship admitted the plea and issued orders for the transfer of the land to the name of the other European. It will be seen from this that, if proper precautions are taken in keeping the land in the name of a European, the true owner does not have to suffer in any way.

THE MALAY LOCATION

On behalf of the Location Committee, an application was made to the Town Council concerning the Malay Location. The Town Council, in its reply, says that the Location will not be allowed to continue on its present site, that long-term leases will not be granted to the residents, but that leases would instead be offered to them at Klipspruit. The Committee has decided to challenge this reply [in a court of law].

[From Gujarati]

Indian Opinion, 25-8-1906

416. THE LATE MR. W.C. BONNERJEE

We regret to announce the death of Mr. Womesh Chunder Bonnerjee, one of the greatest Indian patriots of modern times. The late Mr. Bonnerjee belonged to what may be called the Naoroji school of patriots, who devoted their time and talents to their country's good. Mr. Bonnerjee was one of the foremost barristers in Bengal, and at a very early stage of his career rose to fame by his forensic eloquence and legal acumen. The unusual influence he thereby gained was used for the benefit of his country. The deceased was one of the founders of the Indian National Congress, of which he was the first President, and which he served up to the last day of his life, using his purse freely for the public cause.

Mr. Bonnerjee had an abundant faith in western education, of which he was so fine a product. He, therefore, bought a house in Croydon, where he passed half his time looking after the education of his children, with the result that the deceased statesman's sons and daughters have received a liberal education, of which they have been making, like their father, a public use.

A life, such as Mr. Bonnerjee's, teaches many a lesson to the present generation of Indian youth, and the best tribute that any Indian can render to the memory of the deceased is to copy his example. We tender to the late Mr. Bonnerjee's family our respectful sympathy. Their loss is also India's.

Indian Opinion, 25-8-1906

417. A PLEA FOR DISTINCTION

The Johannesburg *Star* has lately had a very severe leader on "Coloured Hooliganism". The reflections of the leader-writer arose out of the recent riots which have taken place in Cape Town. Our contemporary has taken care to distinguish the "Coloured people" from the Malays and others who are also universally labelled "Coloured". But there can be no doubt that, to the average newspaper reader, the term "Coloured people" has meant Malays, British Indians and all other Asiatics. The

very distinction drawn by *The Star* presupposes such a confusion in the public mind.

The result of classing Asiatics and others as "Coloured people" has caused a great deal of undeserved injustice to the British Indians in South Africa. The most glaring instance is that given by Mr. Winston Churchill. The deprivation of the franchise from the British Indians has been justified by the Colonial Under-Secretary, on the ground that the Dutch understood the term "Natives", that is, in this instance, "Coloured people", to mean natives of any non-European country. Lord Milner, we know, has protested against any such use, or rather abuse, of the term, but his protest has not availed to protect them from the above mentioned injustice.

There are, at present, in the Statute-books of the Transvaal and the Orange River Colony, laws which apply to British Indians, because, according to usage, the term "Coloured people" is applied to British Indians, although, from the nature of the legislation, one would consider it totally unnecessary to apply it to British Indians, who suffer doubly. They labour under disabilities imposed upon "Coloured people" as also because they are Asiatics. Thus, the illicit gold law and the foot-path regulations of the Transvaal apply to them, because they are "Coloured people", and the Law 3 of 1885 applies to them as Asiatics. Their position, therefore, is actually worse than that of the "Coloured people" who are not Asiatics.

We think, in the illustrations given above, we have shown sufficiently clearly that, if justice is to be done to the British Indians, they should be no longer classed with the "Coloured people". And this we say without wishing to make any odious comparisons. "Coloured people" and British Indians have different points of attack in their struggle for freedom of existence. They have to secure justice through different channels and it were well if the Government and the publicists were to recognise the importance of distinguishing between the two.

Indian Opinion, 25-8-1906

418. THE CONDITION OF THE HINDU CREMATION GROUND[1]

Mr. Daugherty has written us a letter on the condition of the Hindu cremation ground, to which we invite the attention of the Durban Indians. If its condition is really such as Mr. Daugherty describes, it is a shame and a disgrace to the Hindu community. It is the duty of every Hindu to keep the ground tidy. By failing to do so, we not only violate the law of the land and the rules of sanitation, but the maxim that in such matters we human beings should have a sense of delicacy. We have in fact received more letters about the condition of the cremation ground. We have not published them as they are caustic and indulge in personal criticism. But we would earnestly remind every Hindu that, whatever our differences in other matters, death should evoke in us nothing but tender

[1] *Vide* also "The Hindu Cremation Ground", p. 415.

and solemn sentiments. And if it cannot, that will be thought a grave shortcoming of ours, as everyone will readily agree.

[From Gujarati]
Indian Opinion, 25-8-1906

419. THE SITUATION IN PERSIA

The Shah of Persia recently announced that a National Council would be convened to save the country from insolvency. This almost bankrupt condition to which Persia has been reduced is mainly due to the Shah's own extravagance. The people of the country have been so very disaffected with the present regime that at the beginning of this year hundreds of merchants and mullahs left Teheran and went abroad. The Shah was alarmed and promised to convene an elected council of mullahs, merchants and landlords; but the serious financial crisis that has arisen cannot be so easily resolved. The present Shah Muzaffaruddin has brought Persia to this sorry pass over a period of ten years. The country's entire revenue is at his disposal. The former Shahs were able to accumulate private fortunes, and the present Shah inherited some two million pounds. It is estimated that not only all this private wealth but the country's annual revenue of a million and a half pounds has been squandered. The country is daily being thus impoverished. The main source of revenue is the working classes. Immense wealth has been dissipated during the last three or four years on visits to Europe and on pomp in the palace. Describing the straits in which Persia finds herself, *The Rand Daily Mail* of Johannesburg says that we should be vigilant and ensure that Russia does not exploit this crisis in Persia to her advantage, since no Englishman will be happy to see Russia gaining a foothold in the neighbourhood of India.

[From Gujarati]
Indian Opinion, 25-8-1906

420. LETTER TO COLONIAL SECRETARY

JOHANNESBURG,
August 25, 1906

TO
THE HON. THE COLONIAL SECRETARY
PRETORIA

SIR,

I have the honour, on behalf of the British Indian Association, to enter its respectful protest against the Draft Asiatic Law Amendment Ordinance published in the *Government Gazette* dated the 22nd instant.

In the humble opinion of my Association, the Draft Ordinance in question is calculated to provoke the bitterest irritation among the Indian community and to wound its susceptibilities to an extent which it is difficult to measure.

The Draft, it is respectfully submitted, is a complete reversal of solemn promises repeatedly made by British administrators, and is in contravention of the despatches of Mr. Lyttelton and Lord Milner.

The Draft gives to the British Indians in the Transvaal absolutely nothing, and takes away from them much, and that too in a manner which, to use Mr. Chamberlain's words, "puts an unnecessary affront" upon British Indian settlers in the Transvaal.

My Association respectfully urges that, if the object of the Draft Ordinance is to remove from the Colony any British Indians who may not be residing in it by lawful authority, an inspection of the documents at present possessed by them would absolutely meet the case without hurting the feelings of British Indians and without causing to the Colony a heavy expense which the machinery proposed by the Draft Ordinance must necessarily do.

My Association has no hesitation in saying that the Draft under discussion shews unmistakably the power possessed by a strong party over helpless men who have done nothing to offend the former and it shews a desire to wield that power with the greatest rigour and in total disregard of the feelings of the helpless victims. This would appear to be strong language, but, examining it from the British Indian standpoint, the language used represents the honest convictions of those British Indians who have studied the Ordinance.

My Association draws the earnest attention of the Government to the following among other most objectionable features of the Draft Ordinance:

(a) Section 2 sets the seal of approval on the part of the British Government on the insulting and false definition of the term "Asiatic" given by Law 3 of 1885, which ignorantly includes "the so-called Coolies, Arabs, Malays, and Mahomedan subjects of the Turkish Dominion". Such a definition is degrading to the Asiatics, in that it takes note only of coolies and perpetuates the use of the term as applied to all the inhabitants of Asia. The definition is false because there are hardly any Arabs and Mahomedan subjects of the Turkish Dominion, and does grave injustice to the Malays who have never yet been molested under Law 3 of 1885 and who have not suffered the misfortune in common with British Indians of being classed as competitors in trade with the Europeans.

(b) While the Draft subjects to innumerable pinpricks every Asiatic resident in the Colony, it leaves the position of the pre-war residents of the Transvaal who have not yet returned to the Colony as indefinite, as vague and as painful as heretofore.

(c) It takes no note whatsoever of the elaborate registration carried on by Captain Hamilton Fowle. It may be here mentioned that the

registration carried out by Captain Fowle was arranged in consultation with the Indian community, which, courteously and gracefully bowing to the advice given by Lord Milner, consented to the registration although, as was acknowledged, there was no legal sanction for it so far as those who had already paid the £3 to the old Government were concerned. Of this, and all such voluntary acts of the community, the Draft Ordinance makes no acknowledgement.

(d) Section 3 deliberately narrows even the advantages enjoyed by the Indian community under the Peace Preservation Ordinance. As the Government is well aware, there is a magisterial decision to the effect that possession of old Dutch registration certificates by a British Indian entitles him to enter the Colony without any further permit. The effect of the decision would be nullified by sub-section 2 of Section 3.

(e) Whereas under Law 3 of 1885 and under the recent decision of the Supreme Court, only male adults who intend to settle in the Transvaal for purposes of trade are required to undergo registration, the present Ordinance would compel every Indian, male and female, over the age of eight to be registered. If the apprehension of my Association is correct, the Law will needlessly violate female modesty, as it is understood by millions of British Indians, and would ride roughshod over sentiments cherished dearly for ages by the community represented by my Association. This law of registration, if it is carried into effect, would mean that His Majesty's Government condemned every Indian as a criminal. So far as my Association is aware, such a law is unknown within British Dominions so far as the free Indian population is concerned.

(f) The so-called remission of the £3 fee is tantamount, in the humble opinion of my Association, to adding insult to injury, in that, almost all the Asiatics at present residing in the Colony are registered and have paid £3, in many cases twice over.

(g) Sub-section 4 of Section 17, authorising the Lieutenant-Governor to exempt a British Indian holder of a temporary permit from the provisions of the Liquor Licensing Ordinance, is an instance of another added insult to injury. My Association is not aware of any self-respecting Indian who would want the precious exemption.

It is possible to enumerate still further objectionable features of the proposed Ordinance, but my Association trusts that sufficient has been given above to shew what the Ordinance means to British Indians.

My Association will be pardoned for stating that the relief sought to be given by Section 21 is not recognised by the Indian community as such. If the Government chooses to perform a simple duty towards a British subject by allowing him to own his inheritance, it is no relief to the community in general. As to permitting fixed property to be held by British Indians for religious uses, my Association is advised that no provision is necessary in view of a decision given by the Witwatersrand High Court in a case recently adjudicated.

Responsible Government will soon be established in the Colony.

My Association, therefore, respectfully urges that, if the Government does not intend to grant any real and substantial relief in accordance with the oft-plighted word of British administrators, Law 3 of 1885 may be allowed to remain undisturbed, and the Responsible Government may be left to deal with the whole position in consultation with the Imperial Government.

I have the honour to remain,
Sir,
Your obedient servant,
ABDUL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 1-9-1906

421. LONG LIVE THE GRAND OLD MAN[1]

The fourth of September will be the eighty-second birthday of the Honourable Dadabhai Naoroji, the veteran patriot of India, who is its "Grand Old Man" as not even the late Mr. Gladstone was of England. The spectacle of Mr. Naoroji tirelessly fighting India's battles, hoping against hope, living a life of self-imposed exile and of incessant energy that would do credit to a youth of twenty-five, is magnificent, ennobling and inspiring. No one can, with any justification, talk of India as in its decline when it produces even one such life as Mr. Naoroji's. To him, India's service is the breath of life. It is his religion and it is his one occupation. He has dedicated his all to India as no one else has. We cannot but think that it is his intense love and devotion to the cause which enable him to bear his years so lightly as he has done. Shall we say it is also a result of divine pleasure over so much pure sacrifice of self? To us in South Africa, a life such as this teaches many a lesson and we can render no greater homage and offer no more sincere prayer for yet more divine pleasure to be bestowed upon the Grand Old Man than by endeavouring to copy the life that Mr. Naoroji has placed before all India. We feel certain, in fact we know, that nothing will give him greater pleasure than to know that we cherish his life's work and that we want to follow in his footsteps, and that even after the grave has closed over him, he will live in our memories and in our deeds. Those that are connected with this journal have in many of their trials been uplifted by the remembrance of this one name. Indeed, the enterprise has been possible only because of the great example set by the noblest Indian patriot living. Our heartfelt prayer goes to the Almighty for a long life to the Grand Old Man of India.

Indian Opinion, 1-9-1906

[1] This and the three following items were written on or before August 27, 1906. *Vide* "Letter to Chhaganlal Gandhi", p. 406.

422. ABOMINABLE!

Abominable is a very strong adjective to use in respect of any act, and yet we can find, even after calmly considering it, no other term equally fitting to characterise the Draft Asiatic Ordinance published in the Transvaal *Government Gazette Extraordinary* dated the 22nd inst. This is in compliance with Mr. Duncan's forecast given at the time of the adjournment of the Legislative Council of the Transvaal. The worst fears of the Indian community of the Transvaal have been realised by the Bill under discussion. It is in violation of many a sacred promise made to the unfortunate Indians residing in that Colony. It sets at nought the British principle of justice and fairplay, and it tramples upon the ordinary ideas of right and wrong as they have been known[1] to mankind for ages past. We give in another column the strongly-worded protest of the British Indian Association[2] but the language used in it is none too strong even for an official document. The Ordinance goes much further than we had anticipated from Mr. Duncan's language. It unsettles the Indian mind as no other measure in South Africa has ever done before. It threatens to invade the sanctity of home life. Before it, Law 3 of 1885 pales into utter insignificance. The most pitiful part of it consists in the fact that what the Boer Government did in ignorance of facts and without meaning to do much harm and in respect of persons not its own subjects, the British Government is doing with the fullest knowledge of facts with the deliberate intention of injuring the Indian community and in respect of British subjects. In its method, the present Government intends to surpass the Boer Government and it would now bring under the clutches of the law those who were outside it under the Dutch rule, namely, women, children and non-traders. We are much pained to notice that our contemporary, the Johannesburg *Star*, welcomes the measure and actually gloats over its stringency. It betrays ignorance of the existing law and, therefore, deals with generalities, dignifying by the name of "concession" that which the Indian community interprets as an insult. In *The Star* language, exemption from the Liquor Licensing Ordinance vouchsafed to "distinguished Asiatic visitors" is a "sensible modification". Such language in a paper edited by an ex-private secretary of an ex-High Commissioner for South Africa leaves little hope of justice being done by the present local Government. Asiatic law is to be amended not in order to fulfil promises given to the Indian community before and after war, but it is being introduced in order to conciliate Messrs Loveday and Company who have been practically dictating the Asiatic policy. Will the Home Government silently allow the proposed injustice to be perpetrated even while the

[1] The original has "... are known".
[2] *Vide* "Letter to Colonial Secretary", pp. 400-3.

Transvaal is a Crown Colony? If the local Government has not the courage to do justice, it will be for it a safe escape out of doing wanton injustice to accept the proposal of the British Indian Association and to allow Law 3 of 1885 to remain as it is, pending introduction of Responsible Government.

Indian Opinion, 1-9-1906

423. COLONIAL INDIANS, NOTE!

Herr Adolph Stein speaks as follows of the trials of the German soldier:

> The lack of railways (in South-West Africa) has made it impossible for bigger supplies to be taken to the front and the troops have been on short rations since the beginning of the campaign which has now continued for two years and a half. The men have been without bread and salt for months together and there have been times when they have lived on the flesh of mules. These mules which were intended to drag the artillery had to be slaughtered to supply the starving soldiers with rations. The men have frequently fought or marched for forty hours without a drop of water or other beverage. Their uniforms are torn to shreds and have been replaced by all sorts of odds and ends of clothing, giving the troops a shabby appearance. Their shoes are worn out and have been replaced by sandals made from the hides of slaughtered oxen. Notwithstanding all these hardships, the troops have performed their duty without flinching.

There is a world of meaning to be read into these sentences by Indians in South Africa and particularly those who have been born and bred in this sub-continent. It must be remembered that these soldiers are, some of them, drawn from men ordinarily engaged in civil occupation. No country has become great without its inhabitants undergoing hardships and self-sacrifice. We often talk of the disabilities of British Indians in South Africa and we have a right to complain about them and to seek redress, but, as an esteemed friend wrote in these columns a few months ago, salvation of British Indians will ultimately have to come from within, and that will only be done when the rising generation of Indians recognise their communal duty and are prepared to undergo trials and difficulties even as German soldiers are now doing in South-West Africa.

Indian Opinion, 1-9-1906

424. THE CAPE LICENCES ACT

From the Cape *Government Gazette* of the 21st inst., we notice that the Cape Licences Bill has become an Act of Parliament and henceforth Indian traders, as indeed all other traders, will come under its operation. The Bill has undergone so many alterations that it is no longer possible to detect the original measure in the Act. In some respects it is undoubtedly harsh. The right of appeal to the Supreme Court has not been definitely taken away, but it is a moot question whether the decision that may be given by the Licensing Boards will be capable of being reviewed by the Supreme Court. Moreover, the safeguard that was left to intending applicants by the original Bill, by way of securing the consent of a majority of rate-payers, has been taken away. At the same time, the requirement as to the books being kept in English has been removed. We, however, never attached any importance to the clause; it was harmless, and we may here point out that, although there is nothing stated as to the keeping of books, it will be quite proper for the Municipal authorities to decline to grant licences if the applicants could not shew to their satisfaction that they are able to keep an intelligible record of their transactions. We have always recognised as legitimate a well-regulated control over trading licences. We, therefore, think that the Act should receive a fair trial. Much will, however, depend upon the manner [in] which the Licensing Boards will use their newly acquired powers. In the words of the late Mr. Escombe, we trust that, having received "a giant's strength", they will not use it as giants, but temper justice with mercy.

Indian Opinion, 1-9-1906

425. LETTER TO CHHAGANLAL GANDHI

P. O. Box 6522,
JOHANNESBURG,
August 27, 1906

MY DEAR CHHAGANLAL,

I am sending you three leading articles to-night; that about Dadabhai[1] will of course occupy the first place, the second should be that about Johannesburg[2] and the third, the Colonial-born Indians, Note[3]. I am too exhausted to give you more although I have a lot to write upon, nor have I the time, but I may be able to send an article or two to-morrow. They will reach you on Thursday. It is now nearly five o'clock; I shall try

1 *Vide* "Long Live the Grand Old Man", p. 403.

2 *Vide* "Abominable!", pp. 404-5.

3 *Vide* "Colonial Indians, Note!", p. 405.

to give you some Gujarati, at least an article about Dadabhai. If possible, give Dadabhai's photograph as a supplement next week. Brian Gabriel has got the negative; he should do it free of charge. The block must be well printed. I was almost about to telegraph to you about the supplement but I think we do not want to hurry. It will come in very nicely next week. I am giving another article on the Cape Act[1] herewith, so that you have 4.

Yours sincerely,
M. K. GANDHI

C. K. GANDHI, ESQ.
PHŒNIX
NATAL

From a photostat of the original : S. N. 4368

426. CABLE TO "INDIA"

JOHANNESBURG,
August 28, 1906

THE DRAFT ASIATIC ORDINANCE WHICH HAS BEEN PUBLISHED CONTRAVENES ALL PAST PROMISES, AND IS WORSE THAN THE EXISTING LAW, WHICH WAS TAKEN FROM THE BOER REGIME. IT SHOCKS INDIAN SENTIMENT BY REQUIRING WOMEN, AND CHILDREN OVER EIGHT YEARS, TO REGISTER. INDIANS, WHO HAVE ALREADY BEEN TWICE REQUIRED BY LAW TO REGISTER, REGISTERED THE LAST TIME VOLUNTARILY TO PLEASE LORD MILNER. THIS THIRD REGISTRATION IS BOTH UNNECESSARY AND OPPRESSIVE. INDIANS PREFER A CONTINUANCE OF THE OLD LAW TO SUBMITTING TO THE WANTON INDIGNITY WHICH THE PROPOSED ORDINANCE CONTEMPLATES. THE CHARGE OF UNLAWFUL ENTRY IS DENIED, AND A COMMISSION OF ENQUIRY IS REQUESTED.

India, 31-8-1906

427. KODAMA, THE HERO OF JAPAN

General Kodama died suddenly last month in Tokyo without suffering any illness. He was born in the Samurai or Kshatriya class of Japan, and was naturally therefore an able soldier. He was moreover a well-known strategist. By his death the Japanese army has suffered a great loss.

Kodama joined the Japanese army in 1872, where his ability quickly attracted notice and he rose rapidly, becoming Lieutenant-Colonel in 1880. He became General in 1904. During the last Russo-Japanese War, he was Marshal Oyama's chief lieutenant. True to the nature

[1] *Vide* "The Cape Licences Act", p. 406.

of the Japanese people, he remained very patient and serene in war and was never impetuous. When, in the bloody battle of Layoyang, the Russian army made a fierce charge on the Japanese, he was at breakfast. As the Russians were marching towards General Kodama's camp, his men, concerned for the safety of their General, requested him to shift to another place. He replied that this he could never do, adding that, if his soldiers came to know he had left the front-line, they might waver and lose heart. It was therefore better for him to remain where he was. This brave conduct of the leader gave the soldiers courage and enabled them to repel the Russian attack.

In build and appearance, General Kodama resembled an Englishman. Sixteen years ago, he was sent to Europe by the Japanese Government to study western techniques of warfare. He gave proof of his proficiency during the last Chinese War. In appreciation of his services in that war, the Mikado made him a Baron. He was considered a capable man in Japan and it was expected that he would one day become Prime Minister. He was 53 when he died.

[From Gujarati]

Indian Opinion, 1-9-1906

428. LETTER TO CHHAGANLAL GANDHI

JOHANNESBURG,
September 1, 1906

MY DEAR CHHAGANLAL,

I have your exhaustive letter, also your telegram regarding Harilal. I am sorry about the permit, but it cannot be helped. I have read your remarks to Mr. Polak; he laughed over them and says you should have spoken to him when he was there. Mr. Medh[1] himself wants only a temporary job so that if you want him only for a time he will be quite willing and I am quite agreeable that you should have assistance. I certainly feel that you want some one to help you. Otherwise, what I am afraid of is that you will break down or that you will leave something undone which ought to be done now, especially the books. But if you have Mr. Medh only temporarily it will be very bad to offer him only £3. You should offer him £4 per month and if he makes himself thoroughly efficient, for the second month he should have £5. You will want him for about six months I think, even after Mr. West's return. Although I should be sending Gujarati matter from here, the political movements going on make my position very uncertain. I might have to go to England or I might have to go to gaol. I have informed Mr. Duncan, whom I met today, that, in the event of the legislation going through, I would be the first one to go to gaol rather than be registered or pay the fine. I

[1] Surendra Medh, who worked with Gandhiji and later with Manilal Gandhi in South Africa

believe the people here, too, are determined, but I should naturally take the lead in a matter of this kind. If that happens, it means incarceration perhaps for three months. You must, therefore, make your preparations to carry on the work efficiently without relying on me. I have the account against Mr. Osman Latief in my mind; I think I will be able to recover the amount some time or other. You can print Suliman Amod's books in 200 pages or 100 whichever suits you better. The theatrical handbills were received yesterday afternoon. Could you not have sent them by post instead of by parcel? I am really delighted with Harilal's taking a deck passage and managing everything himself. The papers re-directed by you have been received. I am very sorry indeed to hear of the death of Thakarshi. It is wonderful how young men are taken off so quickly; I believe I have found out reasons for the phenomenon but if I were to discuss them my voice would be a voice in the wilderness. You should furnish Osman Amod with an estimate of the cost. I have had a complaint about the Smashan fund article[1]. I have written to Motilal and I shall deal with it in the Gujarati columns[2]. It is ridiculous for him to complain about it especially against you. I hope you have pruned down considerably Shelat's contributions; you need not insert any of his contributions without shewing them to me as I have told him I would not put them in unless I found them to be suitable. You should tell Messrs Woods & Son that we are debarred from circulating their handbills through the paper. I will write to Mr. Dada Osman about the advertisement. I received the proof sent by you at the same time as the paper.

Yours sincerely,

M. K. GANDHI

[PS.] Please send me Kuhne's book which might be with you or in Mr. West's room.[3]

C. K. GANDHI, ESQ.
PHŒNIX
NATAL

From a photostat of the original : S. N. 4372

429. JOHANNESBURG LETTER

September 3, 1906

THE INTERVIEW WITH MR. DUNCAN

On Mr. Duncan expressing a desire to meet the Indian deputation regarding the Asiatic Act, Messrs Abdul Gani, Essop Mian, Hajee Ojer Ally, Peter Moonlight and Gandhi, who were deputed by the Committee

[1] *Vide* "The Condition of the Hindu Cremation Ground", pp. 399-400.
[2] *Vide* "The Hindu Cremation Ground", p. 415.
[3] The postscript, in Gujarati, is in Gandhiji's hand.

of the British Indian Association for this purpose, went to Pretoria last Saturday; there they were joined by Mr. Haji Habib on behalf of the Pretoria Committee. Mr. Duncan saw them at 11 a.m. Before writing further on the subject, I must say that their troubles began even as they got into the morning train that leaves at 8-30. Mr. Chamney, who had agreed to make all the arrangements at the station, had for his part no doubt done so. But neither the station master nor the conductor knew anything about them. The latter became obstructive, arguing that they had come without previous notice. Finally, however, the members were accommodated in a second-class compartment up to Germiston, whence they were able to have a first-class carriage. There ensued a long discussion with Mr. Duncan. The deputation told him that the Asiatic Act would be unacceptable to the Indian community under any circumstances and that re-registration would simply not take place. It was tyrannical that, in response to the community's plea for relief, the Government should attempt to enforce a harsher law. It was unthinkable that women and children should be registered. Registration was not necessary during the Dutch regime, and besides, the practice does not obtain elsewhere in British territory. The deputation presented a detailed account of permit problems. Messrs Haji Ojer Ally and Haji Habib spoke in impassioned terms about them. Mr. Duncan told them that the Government would consider all the points and send a reply. In answer to the question about the Malays, Mr. Duncan said that the Act of 1885 had at no time applied to them, and that the Government would therefore consider whether to extend the Act to them or not, although, strictly speaking, it should.

Mr. Essop Mian, who wanted to say something on his own, was asked to seek a separate interview, as Mr. Duncan had to attend another meeting.

Dadabhai Birth Anniversary

The Committee of the British Indian Association met in Johannesburg last Friday, about thirty persons attending. It was unanimously decided to cable congratulations to Dadabhai on his eighty-second birthday. The cable was accordingly sent on September 4[1].

[From Gujarati]

Indian Opinion, 8-9-1906

430. CONGRATULATIONS TO DADABHAI NAOROJI

[Johannesburg,
September 4, 1906]

British Indian Association tenders you hearty congratulations birthday. Pray you may be long spared serve your country.

India, 5-10-1906

[1] The letter, though begun on September 3, was completed on or after September 4.

431. CRIMINAL

We have already described the Asiatic Draft Ordinance of the Transvaal Government as abominable.[1] A closer examination of the Ordinance and the complaints we have received about it require the use of an even stronger epithet regarding the proposed action of the Government. It will be a crime against humanity if it is persisted in.

There are, to-day, not more than 13,000 Indians all told, including women and children, in the Transvaal. Women and children do not possess any documents authorising them to enter the country because the permit regulations do not require them. They are, however, not lawful residents of the Transvaal, according to the definition given to permits by the Ordinance. Will they, then, be banished from the Colony and torn from their husbands, or parents, as the case may be ? Perhaps not. All the same, power is given to the department concerned with the administration of the Ordinance to subject women and children to indignities, and even to banish them. Immemorial experience shews that arbitrary power left in the hands of the best possible men tends to lower their humanity and makes them, very often in spite of themselves, do things which, under other circumstances of greater responsibility, they would not have done. The Christian Teacher, whose tenets the Government of the Transvaal, we suppose, professes to follow, only uttered simple truth when He decried temptation.

Nor is this all. The effect of the Ordinance will be to impugn the validity of every permit and registration certificate issued before the date of the Ordinance, that is to say, every holder of these documents will have to appear before the Registrar of Asiatics and satisfy that official that he is the lawful holder. Indians in the Transvaal know what this means; they will be subjected to all kinds of unnecessary and often insulting questions, and they will have to undergo a very strict examination before they receive a third certificate. And what is the reason for all this ? Why, [it is] that some few Indians, whose moral sensibilities have been blunted by official folly and needless severity, have entered the Colony of the Transvaal without authority.

The only apparent reason for this Ordinance is to cover hopeless incompetence in the administration of the present laws, which, we maintain, are sufficient to meet all cases of fraudulent entrance. There is, in the Peace Preservation Ordinance, a clause which enables officials appointed thereunder to inspect permits, and non-production of same renders persons inspected liable to be arrested and ultimately deported from the Colony. Failure to leave the Colony carries with it a very heavy penalty. We hold that these clauses, wisely employed, would soon shew how far

[1] *Vide* "Abominable!", p. 404.

the statements of the anti-Asiatic agitators are borne out. It is curious that, instead of employing this efficient instrument at its disposal, the Government has devised degrading legislation in order to find out whether there are any persons who have surreptitiously entered the Colony.

A correspondent, of nineteen years' standing in the Transvaal, has asked a pertinent question in the Gujarati columns which we translate in another place in this issue, asking what is the difference between Russian rule and British rule *a la* Transvaal. The difference, in our opinion, lies in the fact that, whereas, in Russia, when it suits the authorities, they do not hesitate to murder people openly and directly, in the Transvaal, because the authorities wish to do away with Indians, but cannot do so openly and honestly, instead of resorting to the direct method of murdering them or banishing them from the Colony, they intend to kill them by inches. They would devise means which exasperate even the mild Indian into leaving the country of his own accord or adopting means which serve the same purpose. And so the authorities are able unctuously to declare: "We are not guilty of the civil murder of these men — they left of their own accord." We present this thought to the Government for its earnest consideration, and ask it now, whilst there is yet time, to withdraw from an utterly false position.

Indian Opinion, 8-9-1906

432. THE GRAND OLD MAN

The various associations in South Africa have simply done their duty by forwarding congratulatory messages to the Honourable Dadabhai Naoroji on his eighty-second birthday.[1] This birthday anniversary has become a day of national rejoicing throughout India, and Indian life in South Africa seems to us to be incomplete without a reproduction, on however humble a scale, of what has been going on in India for years in connection with the birthday anniversary of the one man who is enshrined in the hearts of millions of Indians as is no other man at the present day. These voluntary offerings must be a matter of very great solace to the aged patriot, and it cannot but further the work that he has been doing so ungrudgingly for over half a century. We hope that, having commenced it, Indians in South Africa will make the sending of these messages an annual feature, and hope that they will be privileged, for many years to come, to be able to commemorate the day. We publish with this issue a supplement, containing a portrait of the Hon. Dadabhai Naoroji.

Indian Opinion, 8-9-1906

[1] *Vide* "Congratulations to Dadabhai Naoroji", p. 410.

433. RUSSIA AND INDIA

Mr. Essop Mian recently compared [conditions under] British rule in the Transvaal with the state of affairs prevailing in Russia.[1] Such a comparison is indeed worth making. Just as the Russian people are tyrannised over by government officials, so are Indians in the Transvaal. People are openly assaulted and killed in Russia. Under British rule, the harm inflicted on the people is, as in the case of a rat-bite, not immediately noticeable, but it may be said that the ultimate effect is just as bad.

It is interesting to compare the reactions of the Russian people to tyranny with our own reaction to it. Under British rule, we draft petitions, carry on a struggle through the Press, and seek justice from the King. All this is perfectly proper. It is necessary, and it also brings us some relief. But is there anything else that we should do ? And, can we do it ? We shall think of these questions later. For the present, let us see what Russia is doing. The people there, both rich and poor, do not send petitions and stop there. The oppression there is such that it has given rise to a number of anarchists. They believe that all rulers are oppressive, and the State should therefore be done away with. To achieve this end, people in Russia kill the officials openly as well as secretly. In this, however, they are making a mistake. Such thoughtless adventures only serve to keep the minds of both the rulers and the ruled in a state of constant tension. All the same, it is admitted on all hands that men taking such risks must be brave and patriotic.

Even young girls set out on such adventures and court risks. A book was recently published about the lives of young women who have thus made themselves immortal. Knowing that death is certain, these fearless girls, actuated by patriotism and a spirit of self-sacrifice, take the lives of those whom they believe to be the enemies of the country, and themselves meet an agonising death at the hands of officials. Facing such risks, they serve their country selflessly. It will be no wonder if such a country succeeds in achieving freedom from tyranny. The only reason why it has not become free immediately is that such patriotism is misdirected, as we have pointed out before, and results in bloodshed. In consequence, these people cannot, according to divine law, obtain any immediate benefit.

Do our people display patriotism of this order ? We have regretfully to say "No". No one can be blamed, for we have not yet been trained for this. We are children in political matters. We do not understand the principle that the public good is also one's own good. But the time has now come for us to outgrow this state of mind. We need not, however, resort to violence. Neither need we set out on adventures, risking our lives. We must, however, submit our bodies to pain, and the new Transvaal

1 *Vide Indian Opinion*, 8-9-1906.

Ordinance offers an excellent opportunity. The Ordinance represents the limit of oppression. It is not for us to punish those who made that Ordinance. If we did that, we would be as much at fault as the Russians. Indians are a meek people, and we wish they will always remain so. What, then, should we do ? The answer to this question has been given by the Indian deputation to Mr. Duncan. They have told him that if, disregarding our attempts at gentle persuasion, the Government enforces the Ordinance, Indians will not abide by it; they will not [re-]register themselves, nor will they pay fines; they will rather go to gaol. We believe that, if the Indians in the Transvaal firmly stick to this resolution, they will at once be free of their shackles. The gaol will then be like a palace to them. Instead of being a disgrace, going to gaol will enhance their prestige. And the Government, for its part, will realize that it cannot with impunity go on humiliating Indians. What we do not do, besides addressing petitions — though we ought to do it—is that we will not sacrifice our bodily comforts. We give ourselves over to physical pleasures and cannot give them up. It is our duty to make some sacrifice for the sake of others. We do not realize that there is real beauty in this: that it is thus that we please God and do our true duty. The resolution[1] about the deputation [to England] is an excellent step. We hope that the Indians will not miss this golden opportunity and that every one of them in South Africa will support it.

[From Gujarati]
Indian Opinion, 8-9-1906

431. FALSE PERMITS IN THE TRANSVAAL

We have received a letter about false permits which we think it is unnecessary to publish. The writer says that some Indians try to enter the Transvaal with false permits, and innocent men have to suffer in consequence. Those who make the attempt are, of course, sentenced. Some time ago, eight Indians at Barberton were fined £30 and obliged to return. Though, in our view, the fine was unmerited, we do believe that it is necessary for every Indian to act with caution. The more our people misuse permits, the more they will add to our woes. We are sorry for those who cannot enter the Transvaal; we sympathise with them. But, so long as the law is against them, they have to remain patient. We must always bear in mind that, in the process of securing one's own interest, one ought not to harm others. We hope every reader will learn a lesson from the Barberton cases.

[From Gujarati]
Indian Opinion, 8-9-1906

1 *Vide* "The Mass Meeting", pp. 419-23.

435. THE HINDU CREMATION GROUND

We commented in a previous issue on the condition of the Hindu cremation ground.[1] Some persons have construed our comments as intended to find fault with the management. We have gone through the article again, but are unable to read in it any such intention. However, to preclude any possible misunderstanding, we hereby declare that we have not, in the article, held the management guilty of any fault. As far as we know, they have been doing their best to keep the cremation ground clean and in good condition.

[From Gujarati]
Indian Opinion, 8-9-1906

436. LETTER TO COLONIAL SECRETARY

BRITISH INDIAN ASSOCIATION

Urgent

[JOHANNESBURG,]
September 8, 1906

SIR,

I have the honour to request Your Excellency to forward the enclosed telegrams to the Right Honourable the Secretary of State for India and His Excellency the Viceroy of India.[2]

You will notice that the text of the cable to His Excellency the Viceroy of India is different from that of the other two[3]. My Association has authorised me to disburse the expense of the cablegrams and on hearing from you, I shall forward cheque. As the matter is one of great urgency, may I request that the cablegrams be sent today.

I am, etc.,
ABDUL GANI

Pretoria Archives : L. G. File No. 93 : Asiatics

[1] *Vide* "The Condition of the Hindu Cremation Ground", pp. 399-400.
[2] *Vide* the following items.
[3] Addressed to the Secretaries of State for India and for the Colonies

437. *CABLE TO SECRETARY OF STATE FOR COLONIES*[1]

[Johannesburg,]
September 8, 1906

To
Secretary of State for the Colonies

British indians alarmed at haste with which asiatic ordinance is being rushed through legislative council. Ordinance reduces indians to status lower than kaffirs and much lower than that occupied under dutch regime. British indian association request imperial sanction be stayed pending deputation proceeding directly. Association requests reassuring reply.

Bias

Pretoria Archives : L. G. File No. 93 : Asiatics

438. *CABLE TO VICEROY OF INDIA*

[Johannesburg,]
September 8, 1906

To
His Excellency the Viceroy of India

British indians alarmed at asiatic ordinance passing through legislative council. Transvaal ordinance degrading, insulting, reduces indians to a worse status than that of pariahs. British indian association request the viceroy's active intervention, his excellency being directly responsible for their welfare.

Bias

Pretoria Archives : L. G. File No. 93 : Asiatics

[1] The same telegram was sent to the Secretary of State for India also.

439. SPEECH ON THE "BLACK ACT"

At a meeting of some leading Indians held to consider the draft Asiatic Law Amendment Ordinance, Gandhiji explained its full implications. It shocked them as it had shocked Gandhiji. All present then resolved to hold a public meeting and consider and adopt measures to fight the "Black Act".

The following is Gandhiji's own reconstruction of the speech which, like the one at the mass meeting on September 11, (vide *pp. 419-22*), *brings out the importance he attached to defiance of an unjust law.*

[JOHANNESBURG,
Before *September 9, 1906*]

This is a very serious crisis. If the Ordinance were passed and if we acquiesced in it, it would be imitated all over South Africa. As it seems to me, it is designed to strike at the very root of our existence in South Africa. It is not the last step, but the first step with a view to hound us out of the country. We are therefore responsible for the safety, not only of the ten or fifteen thousand Indians in the Transvaal but of the entire Indian community in South Africa. Again, if we fully understand all the implications of this legislation, we shall find that India's honour is in our keeping. For the Ordinance seeks to humiliate not only ourselves but also the motherland. The humiliation consists in the degradation of innocent men. No one will take it upon himself to say that we have done anything to deserve such legislation. We are innocent, and insult offered to a single innocent member of a nation is tantamount to insulting the nation as a whole. It will not, therefore, do to be hasty, impatient or angry. That cannot save us from this onslaught. But God will come to our help, if we calmly think out and carry out in time measures of resistance, presenting a united front and bearing the hardship, which such resistance brings in its train.

M. K. Gandhi : *Satyagraha in South Africa,* Chapter XI; S. Ganesan, Madras; 1928

440. SPEECH AT HAMIDIYA ISLAMIC SOCIETY[1]

At a meeting of the Hamidiya Islamic Society, Gandhiji explained the political situation in the Transvaal. The following is an extract from a report of the proceedings :

JOHANNESBURG,
September 9, 1906

We have received a reply to our cable[2] to the Colonial Secretary. (Mr. Gandhi here read out the reply.) I have also cabled to London[3] according to instructions. There is now no alternative to sending a deputation, because an intolerable and wicked law is being forced upon us; and we must not put up with it. As it is, our plight in the Transvaal is very bad, and now comes this vicious Draft Ordinance. My advice, therefore, is that we should not seek fresh registration.

Let the accusation of breaking the law fall on us. Let us cheerfully suffer imprisonment. There is nothing wrong in that. The distinctive virtue of the British is bravery. If therefore we also unite and offer resistance with courage and firmness, I am sure there is nothing that the Government can do. Even the half-castes and Kaffirs, who are less advanced than we, have resisted the Government. The pass law applies to them as well, but they do not take out passes.

I do not want to say more. I would only advise you not to register yourselves again. If the Government sends us to gaol, I shall be the first to court imprisonment. And if any Indian is put to trouble because of his refusal to register afresh in accordance with the Draft Ordinance, I will appear in his case free of charge.

On Tuesday next, we are holding a mass meeting, and I expect you all to close your business on that day and attend it.

Having explained all this at length, Mr. Gandhi made a few suggestions for collecting funds quickly, appointing a new committee to look after the funds and publishing the accounts every month.

[From Gujarati]

Indian Opinion, 22-9-1906

1 The report in the *Indian Opinion* has the caption, "Call to Action".

2 This is not available.

3 *Vide* "Cable to Secretary of State for Colonies", p. 416.

441. THE MASS MEETING

A mass meeting of British Indians was held to protest against the draft Asiatic Law Amendment Ordinance. Abdul Gani, Chairman, British Indian Association, presided. Several speakers opposed the Ordinance and called for non-compliance in case it became law. The following is a report of Gandhiji's speech:

JOHANNESBURG,
September 11, 1906

Mr. M. K. Gandhi, (Johannesburg), Hony. Secretary of the British Indian Association, then addressed the meeting. He pointed out that by some critics it might be thought that there was a defect in the chain of reasoning as outlined by their resolutions, because they asked for redress of their grievances, and then went on immediately to threaten to go to gaol if their prayer was not granted. He contended, however, that there was no real flaw in the chain, because they were not holding out a threat. It was merely a question of one ounce of practice which was worth whole tons of speeches and writings. He had thought the matter over seriously and earnestly before he had given his opinion upon the step they should take, and he felt that it was their bounden duty to adopt the course laid down if their prayer was not granted. He contended that every adjective used that day was justified for the occasion, and said that if he could find a stronger adjective he would use it. He had studied the whole of the anti-Asiatic legislation throughout South Africa; but he never, in the whole course of his experience, came across anything like this present Ordinance. Even the legislation of the O.R.C., drastic as it was, was far superior to that now introduced here, which was so bad that no self-respecting Indian could live under it. He admitted that the responsibility for the serious step he had taken was upon his shoulders, and he took the responsibility in its entirety. He felt he had done the right thing in advising them to take this step as loyal British subjects. In all their action in this respect they were full of loyalty. No shadow of disloyalty could rest upon them. Some people might say that they were foolish, and he would say that their action was foolish if he had not full confidence in his fellow-countrymen. But he knew them; he knew that he could trust them, and he knew also that, when occasion required an heroic step to be taken,—he knew that every man among them would take it. (Loud Cheers.)

Indian Opinion, 22-9-1906

At the meeting, Haji Habib proposed that they should take a solemn oath to oppose the Ordinance. Explaining the implications of the suggestion, Gandhiji made a speech, which he recapitulates in Satyagraha in South Africa*:*

I wish to explain to this meeting that there is a vast difference between this resolution and every other resolution we have passed up to date

and that there is a wide divergence also in the manner of making it. It is a very grave resolution we are making, as our existence in South Africa depends upon our fully observing it. The manner of making the resolution suggested by our friend is as much of a novelty as of a solemnity. I did not come to the meeting with a view to getting the resolution passed in that manner, which redounds to the credit of Sheth Haji Habib as well as it [*sic*] lays a burden of responsibility upon him. I tender my congratulations to him. I deeply appreciate his suggestion, but if you adopt it you too will share his responsibility. You must understand what is this responsibility, and as an adviser and servant of the community, it is my duty fully to explain it to you.

We all believe in one and the same God, the differences of nomenclature in Hinduism and Islam notwithstanding. To pledge ourselves or to take an oath in the name of that God or with Him as witness is not something to be trifled with. If having taken such an oath we violate our pledge we are guilty before God and man. Personally I hold that a man, who deliberately and intelligently takes a pledge and then breaks it, forfeits his manhood. And just as a copper coin treated with mercury not only becomes valueless when found out but also makes its owner liable to punishment, in the same way a man who lightly pledges his word and then breaks it becomes a man of straw and fits himself for punishment here as well as hereafter. Sheth Haji Habib is proposing to administer an oath of such a serious character. There is no one in this meeting who can be classed as an infant or as wanting in understanding. You are all well advanced in age and have seen the world; many of you are delegates and have discharged responsibilities in a greater or lesser measure. No one present, therefore, can ever hope to excuse himself by saying that he did not know what he was about when he took the oath.

I know that pledges and vows are, and should be, taken on rare occasions. A man who takes a vow every now and then is sure to stumble. But if I can imagine a crisis in the history of the Indian community of South Africa when it would be in the fitness of things to take pledges, that crisis is surely now. There is wisdom in taking serious steps with great caution and hesitation. But caution and hesitation have their limits, which we have now passed. The Government has taken leave of all sense of decency. We would only be betraying our unworthiness and cowardice, if we cannot stake our all in the face of the conflagration which envelopes us and sit watching it with folded hands. There is no doubt, therefore, that the present is a proper occasion for taking pledges. But every one of us must think out for himself if he has the will and the ability to pledge himself. Resolutions of this nature cannot be passed by a majority vote. Only those who take a pledge can be bound by it. This pledge must not be taken with a view to produce an effect on outsiders. No one should trouble to consider what impression it might have upon the local Government, the Imperial Government, or the Government of India. Every one must only search his own heart, and if the inner voice assures

him that he has the requisite strength to carry him through, then only should he pledge himself and then only would his pledge bear fruit.

A few words now as to the consequences. Hoping for the best, we may say that, if a majority of the Indians pledge themselves to resistance and if all who take the pledge prove true to themselves, the Ordinance may not even be passed and, if passed, may be soon repealed. It may be that we may not be called upon to suffer at all. But if on the one hand one who takes a pledge must be a robust optimist, on the other hand he must be prepared for the worst. It is therefore that I would give you an idea of the worst that might happen to us in the present struggle. Imagine that all of us present here numbering 3,000 at the most pledge ourselves. Imagine again that the remaining 10,000 Indians take no such pledge. We will only provoke ridicule in the beginning. Again, it is quite possible that in spite of the present warning some or many of those who pledge themselves might weaken at the very first trial. We might have to go to gaol, where we might be insulted. We might have to go hungry and suffer extreme heat or cold. Hard labour might be imposed upon us. We might be flogged by rude warders. We might be fined heavily and our property might be attached and held up to auction if there are only a few resisters left. Opulent today, we might be reduced to abject poverty tomorrow. We might be deported. Suffering from starvation and similar hardships in gaol, some of us might fall ill and even die. In short, therefore, it is not at all impossible that we might have to endure every hardship that we can imagine, and wisdom lies in pledging ourselves on the understanding that we shall have to suffer all that and worse. If someone asks me when and how the struggle may end, I may say that, if the entire community manfully stands the test, the end will be near. If many of us fall back under storm and stress, the struggle will be prolonged. But I can boldly declare, and with certainty, that so long as there is even a handful of men true to their pledge, there can only be one end to the struggle, and that is victory.

A word about my personal responsibility. If I am warning you of the risks attendant upon the pledge, I am at the same time inviting you to pledge yourselves, and I am fully conscious of my responsibility in the matter. It is possible that a majority of those present here might take the pledge in a fit of enthusiasm or indignation but might weaken under the ordeal, and only a handful might be left to face the final test. Even then there is only one course open to the like of me, to die but not to submit to the law. It is quite unlikely but even if every one else flinched leaving me alone to face the music, I am confident that I would never violate my pledge. Please do not misunderstand me. I am not saying this out of vanity, but I wish to put you, especially the leaders upon the platform, on your guard. I wish respectfully to suggest it to you that, if you have not the will or the ability to stand firm even when you are perfectly isolated, you must not only not take the pledge yourselves but you must declare your opposition before the resolution is put to the

meeting and before its members begin to take pledges and you must not make yourselves parties to the resolution. Although we are going to take the pledge in a body, no one should imagine that default on the part of one or many can absolve the rest from their obligation. Every one should fully realize his responsibility, then only pledge himself independently of others and understand that he himself must be true to his pledge even unto death, no matter what others do.

M. K. Gandhi: *Satyagraha in South Africa*, Chapter XII; S. Ganesan, Madras; 1928

RESOLUTIONS PASSED AT THE MEETING[1]

Resolution I

This mass meeting of British Indians here assembled, respectfully urges the Honourable the President and Members of the Legislative Council of the Transvaal not to pass the Draft Asiatic Ordinance to amend Law No. 3 of 1885, now before that Honourable House, in view of the facts that :

(1) It is, so far as the Indian community of the Transvaal is concerned, a highly contentious measure.
(2) It subjects the British Indian community of the Transvaal to degradation and insult totally undeserved by its past history.
(3) The present machinery is sufficient for checking the alleged influx of Asiatics.
(4) The statements as to the alleged influx are denied by the British Indian community.
(5) If the Honourable House is not satisfied with the denial, this meeting invites [an] open, judicial, and British enquiry into the question of the alleged influx.

Resolution II

This mass meeting of British Indians here assembled respectfully protests against the Draft Asiatic Law Amendment Ordinance now being considered by the Legislative Council of the Transvaal, and humbly requests the local Government and the Imperial Authorities to withdraw the Draft Ordinance, for the reasons that :

(1) It is manifestly in conflict with the past declarations of His Majesty's representatives.
(2) It recognises no distinction between British and alien Asiatics.
(3) It reduces British Indians to a status lower than that of the aboriginal races of South Africa and the Coloured people.
(4) It renders the position of British Indians in the Transvaal much worse than under Law 3 of 1885, and, therefore, than under the Boer regime.

[1] In accordance with Resolution V, copies of Resolutions II, III and IV were sent to the Secretary of State for India through the Governor of the Transvaal, who was also requested to telegraph their substance to the Viceroy of India. *Vide* p. 423 and Cd. 3308 issued in February 1907.

(5) It sets up a system of passes and espionage unknown in any other British territory.

(6) It brands the communities to which it is applied as criminals or suspects.

(7) The alleged influx of unauthorised British Indians into the Transvaal is denied.

(8) If such denial is not accepted, a judicial, open and British enquiry should be instituted before such drastic and uncalled for legislation is enforced.

(9) The measure is otherwise un-British and unduly restricts the liberty of inoffensive British subjects and constitutes a compulsory invitation to British Indians in the Transvaal to leave the country.

(10) This meeting further and especially requests the Right Honourable the Secretary of State for the Colonies and the Right Honourable the Secretary of State for India to suspend the Royal sanction and to receive a deputation on behalf of the British Indian community of the Transvaal in connection with this Draft Ordinance.

Resolution III

This meeting hereby appoints a delegation with power from the Committee of the British Indian Association to add to its membership or to change its personnel, to proceed to England and to lay before the Imperial Authorities the complaint of the British Indian community of the Transvaal regarding the Draft Asiatic Law Amendment Ordinance.

Resolution IV

In the event of the Legislative Council, the local Government, and the Imperial Authorities rejecting the humble prayer of the British Indian community of the Transvaal in connection with the Draft Asiatic Law Amendment Ordinance, this mass meeting of British Indians here assembled solemnly and regretfully resolves that, rather than submit to the galling, tyrannous, and un-British requirements laid down in the above Draft Ordinance, every British Indian in the Transvaal shall submit himself to imprisonment and shall continue so to do until it shall please His Most Gracious Majesty the King-Emperor to grant relief.

Resolution V

This meeting desires the Chairman to forward copy of the first resolution to the Honourable the President and Members of the Legislative Council, and copies of all the resolutions to the Honourable the Colonial Secretary, to His Excellency the Acting Lieutenant-Governor, and to His Excellency the High Commissioner, and to request His Excellency the High Commissioner to cable the text of resolutions Nos. 2, 3 and 4 to the Imperial Authorities.

Indian Opinion, 15-9-1906

442. JOHANNESBURG LETTER

September 11, 1906

A mammoth meeting was held under the presidentship of Mr. Abdul Gani, at two o'clock on Tuesday afternoon at the Empire Theatre, in connection with the agitation at present going on in the Transvaal against the Asiatic law[1]. About three thousand Indians attended. An invitation was sent to the Colonial Secretary, who sent Mr. Chamney.

In the course of his speech, Mr. Abdul Gani made the following points :

We in the Transvaal have never had to face such critical times before. On this occasion, we have to put in a mighty effort. I do not want to make a long speech; there is much work for us to do. At the time of the Boer War, Lord Selborne said that the need to protect the rights of Indians was one of the causes of the War. For, under the Union Jack, no one should suffer any disability; all must have equal rights.

Again, at a meeting of Jews held a few days ago, he said that it was the duty of the British Government to redress the grievances of alien peoples as well. There should be no restrictions, he said, on living, no prohibition of acquisition of land in the British Empire. We have a right to ask how such speeches of Lord Selborne can be reconciled with the oppressive law directed against us.

We have already represented to the Government how drastic and offensive the law is. But, today, I want to read out to you Mr. Gregorowski's opinion on the subject. He writes :

> The act is far more severe than the Dutch Law. There is not a single provision in it that is favourable to the Indians. The act makes the position of the Indian worse than that of the Kaffir. Not every Kaffir is required to carry a pass on him; but now every Indian will have to do so. Educated Kaffirs are exempt from such restrictive laws. But the Indian, whatever his education and standing, will have to carry a pass. The pass, it seems to us, will be like the one carried by prisoners, etc. Whatever loop-holes there existed in the Law [3] of 1885 have been closed in this Act. While Kaffirs can own land, Indians cannot. It does not seem probable that the Liberal Government will approve such a law.

What we have been saying is by no means more strongly worded than what Mr. Gregorowski has said.

Now that a serious situation has arisen, we should think about what we ought to do if the Imperial Government does not heed our grievances. Today some resolutions will be placed before you. According to one of them, we shall resolve to send a deputation to England, of which I need say no more. But there is only one very important resolution for today. What shall we do if we fail to secure relief? We have patiently endured the hardships, which have continued unmitigated. But the further disability

[1] Draft Asiatic Law Amendment Ordinance

proposed by this law is insufferable. We therefore want to resolve that, if the Imperial Government too intends to heap more oppressions on us, we will rather go to gaol than put up with it. It always happens that one hits upon the true remedy only when one goes through extreme suffering, and it is our duty firmly to resolve to defy the law and go to gaol. There is nothing to be ashamed of in going to gaol. And I pray to God to give us the strength and the good sense to adhere to our determination.

This is for us the time for deeds, not words. We have to act boldly; and in doing so, we have to be humble and non-violent. We should not speak or listen to any bitter words.

After the President's speech, the following resolutions were passed.

Resolution I[1]

This mass meeting respectfully urges the Legislative Council not to pass the Asiatic Ordinance in view of the fact that

(1) it is, according to the Indian community, a highly objectionable measure;
(2) it subjects the Indian community to degradation and insult without any cause whatever;
(3) if it is supposed that Indians enter the Transvaal without permits, there is adequate provision in the existing law to prevent them from so doing;
(4) the Indian community denies the allegation that there is any large influx of permitless Indians into the Transvaal;
(5) if the Legislative Council disbelieves these statements, the Indian community demands that a judicial inquiry, which accords with British practice, be held.

Resolution II

This mass meeting respectfully protests against the Asiatic Ordinance and humbly requests the local and the Imperial Governments to withdraw the Draft Ordinance for the following reasons :

(1) it is manifestly in conflict with the past declarations of His Majesty;
(2) it recognises no distinction between British Indians and other Asiatics;
(3) it reduces British Indians to a status lower than that of the Kaffirs and other Coloured persons;
(4) it renders the position of Indians much worse than it was under the Boer regime;
(5) it sets up a system of passes unknown in any other Colony;
(6) in effect, it brands all persons of the Indian community as criminals;
(7) the Indian community denies the alleged influx of unauthorised Indians into the Transvaal;
(8) if this denial is unacceptable, the Indian community demands that a judicial inquiry which is in conformity with the British system be held;

[1] As the report has been translated from the summary in Gujarati, it is not a *verbatim* reproduction of the original English text of the resolutions. For the English resolutions *vide* pp. 421-2.

(9) the measure is otherwise unjust, restricts the liberty of the Indian community and is calculated to oust the community through ill-treatment.

(10) Furthermore, this meeting requests in particular the Right Honourable the Secretary of State for the Colonies and the Right Honourable the Secretary of State for India to recommend the withholding of Royal sanction (until after the Indian deputation has waited upon them).

Resolution III

This meeting hereby authorizes the British Indian Association to send a deputation to England in order to put the grievances of the Indian community before the Imperial Government.

Resolution IV

Should the Legislative Council, the local and the Imperial Governments reject the humble prayer of the Indian community against the Asiatic Ordinance, every Indian present at this meeting solemnly and sincerely resolves that, rather than submit to this tyrannical law and abide by its un-British provisions, he will prefer to go to gaol and will continue to do so until it pleases His Majesty the King-Emperor to grant relief.

Resolution V

This meeting authorizes the Chairman to forward the first resolution to the Legislative Council and all the other resolutions to His Excellency the High Commissioner and through him to the Imperial Government by cable.

Position of the Law till Tuesday Evening

I am unable to send reports of the other speakers or their speeches for the current issue. To be brief, the meeting was attended by representatives from Pietersburg, Klerksdorp, Krugersdorp, Pretoria and all other important places. The fear was widely shared that the law might have already received the approval of the Imperial Government. On this point, however, Sir Richard Solomon assures us that the law will not be enforced as long as it has not been sent to England and approved. There is thus still scope for the deputation to visit England, and for sending petitions, etc. Moreover, the law has been so amended that it will not apply to children under sixteen. That is to say, such children entering the Transvaal will not be prosecuted. Another amending clause has, however, been added according to which anyone who smuggles in a child of another as his own will be prosecuted and sentenced. Not only that, but his permit and registration certificate will be cancelled, and he will be deported.

[From Gujarati]

Indian Opinion, 15-9-1906

443. LETTER TO PRESIDENT OF LEGISLATIVE COUNCIL

[JOHANNESBURG,]
September 11, 1906

TO
HON. THE PRESIDENT OF THE LEGISLATIVE COUNCIL
PRETORIA

SIR,

I have the honour to enclose herewith, by direction of the Mass Meeting of British Indians held this afternoon in Johannesburg, copy of the first resolution[1] unanimously passed by the Meeting for submission to the Honourable House for its sympathetic consideration.

I have the honour to request that the same may be read to the Honourable House.

I have the honour to remain,
Sir,
Your obedient servant,
ABDOOL GANI
CHAIRMAN,
BRITISH INDIAN MASS MEETING

Pretoria Archives : L. G. File No. 93 : Asiatics

444. LETTER TO LT.-GOVERNOR OF THE TRANSVAAL

BRITISH INDIAN ASSOCIATION

P. O. Box 6522,
JOHANNESBURG,
September 12, 1906

TO
HIS EXCELLENCY THE LIEUTENANT-GOVERNOR
OF THE TRANSVAAL AND JOHANNESBURG

SIR,

In accordance with a resolution passed by the British Indian Mass Meeting held at the Empire Theatre, Johannesburg, I have the honour to enclose herewith Resolutions 2, 3, 4 and 5[1] for Your Excellency's information.

I have the honour to remain,
Sir,
Your obedient servant,
ABDOOL GANI
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Pretoria Archives : L. G. Files : 1902-1906

[1] *Vide* "The Mass Meeting", pp. 419-23.

445. REPLY TO "THE RAND DAILY MAIL"

[JOHANNESBURG,
September 12, 1906]

[THE EDITOR]
The Rand Daily Mail

SIR,

You have accused me in your leading article of the confusion of the issues in connection with the British Indian mass meeting[1] held yesterday. I fear, however, that it is rather on your side than on mine. The point that I, and every other speaker, made was perfectly clear.

Here is what I stated, as reported in your paper:

> They did not ask to bring the 350 millions into this country, but they said that those who had entered the country were entitled to the same protection and rights and privileges as all the Europeans who had come in.

While the meeting earnestly pleaded for a reasonable treatment of the resident British Indian population, you, Sir, shall I say, deliberately have confused the issue by dragging in all Asiatics, British and otherwise, and by raising the question of immigration. How can we raise any such question when it is a matter of life and death for the handful of British Indians that are in the Transvaal? In order to accentuate my point, I did indeed say that, if aliens, not always of a desirable character, could enter the Transvaal freely and without permits, and enjoy all the privileges, it was reasonable that Indians, who are accepted as British subjects, should have a prior right.

You again talk of a suspicious disinclination to descend to details! There was no occasion for it as they are embodied in the British Indian protest which you have already published. No amount of amending the Ordinance as to details can make it acceptable when the very principle of it is bad, namely, to ask every Indian without exception to carry a pass under a system of identification applied only to criminals. We would be unworthy sons of India if, mild as we are, we submitted to the contemplated degradation.

[*Yours, etc.,*
M. K. GANDHI]

Indian Opinion, 22-9-1906

[1] *Vide* "The Mass Meeting", pp. 419-23.

446. LETTER TO "THE STAR"

[JOHANNESBURG,
Before *September 14, 1906*]

TO
THE EDITOR
The Star

SIR,

You have been good enough, in your leading article on the British Indian protest regarding the Asiatic Draft Ordinance, to give advice to the British Indian Association which, in your opinion, is not very "judiciously" led.

It is a trite saying that "our neighbours always know best what is good for us," and I have no doubt that, on that principle, your opinion, that the British Indian community is badly led, is also correct. However, for the present, I am more concerned with the attitude you have taken up regarding the British Indian protest than with your judgment about the leaders of the Association.

You think that the community has no case whatever against the new Ordinance, because it is purely a matter of fresh registration and that it imposes no fresh disabilities on any class of His Majesty's subjects. I join issue on both the points. Just as the administration of the Peace Preservation Ordinance has been distorted in order to prohibit Indian immigration, so also the scope of Law 3 of 1885 has been distorted by the new Ordinance to meet a demand that was never made during the Dutch regime. The Dutch law was aimed at the traders. Its policy was not to restrict immigration, but to penalise the immigrants who wanted to trade, and it was for that reason that, originally, it fixed a registration fee of £25, which was reduced to £3 on the intervention of the British Government.

The present Ordinance, which is supposed merely to amend Law 3 of 1885, and, therefore, to continue its scope and not entirely change it, as a matter of fact, provides for a system of identification which, in its operation, cannot but be most galling to those who have to submit to it. Re-registration does not mean taking a census of the Indian population, but it means the following :

Every Indian resident in the Colony has to carry with him a registration certificate containing degrading identification particulars. He has to have his new-born child provisionally registered, giving such particulars as to identification as may be required by the regulation to be framed by the Lieutenant-Governor. He has to take out a registration for children above the age of eight years with similar conditions as to identification.

All this is absolutely new and never contemplated by Law 3 of 1885.

And yet you have no hesitation in saying that the Ordinance does not impose any disability on the resident Indian population.

Let me assure you that the policy of passive resistance is not a *brutum fulmen*.[1] It is simply a resolve on the part of my countrymen to decline to submit to conditions that are quite unbearable, and if, as suggested by you, it provokes "a movement of their wholesale expulsion as an expensive nuisance", it will be a great relief. That it will be a new departure in the British policy, of course, does not matter to the new school of Imperialists, of whom you are, undoubtedly, a leading light. My countrymen have remained long enough in the background — not discreetly, as you suggest, but rather indiscreetly. Their coming out of their seclusion will not mean much loss, if it brings no gain. In their opinion, they have already lost almost all.

If your inciting of South Africans results in their taking some interest in the Indian question, I make bold to say that, in spite of your suggestion above referred to, it will open their eyes, and show them how heavily they have sinned against British Indians, and how much they have misunderstood them.

I am, etc.,
ABDOOL GANI,
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

The Star, 22-9-1906

447. THE NEW TRANSVAAL BILL

The resolutions unanimously passed by the mass meeting of Indians appear in the Johannesburg Letter[2]. Our correspondent says that the meeting was attended by representatives from all over the Transvaal. We congratulate them on foregathering to pass the resolutions unanimously, and wish them complete success in their endeavours. We believe that the Government will be obliged to withdraw the Bill if this movement is continued with unity. The Draft Ordinance has gone through two readings in the legislature. A special amendment places women outside the purview of the Act. The Bill was presented for its third reading, when the telegram received from the British Indian Association was read out; and after some discussion — during which certain amendments were put forward — it was decided to put off consideration until the final report on the Bill [was ready]. If, as our correspondent asks, the Imperial Government should give its assent meanwhile and the Bill become law, what

1 This is in response to the following editorial observation made by *The Star*. "The suggestion of a policy of passive resistance is either a *brutum fulmen* or based on a very hazy notion of the value of that policy in the English educational controversy."

2 *Vide* "Johannesburg Letter", pp. 424-6.

should Indians do? In that case, we hope and pray that God may give them the strength and tenacity to adhere to the Fourth Resolution passed unanimously at the mass meeting till the grievances are redre

[From Gujarati]

Indian Opinion, 15-9-1906

448. STATEMENT ON DRAFT ASIATIC ORDINANCE[1]

[Before *September 17, 1906*]

It is much worse than was expected would be the case. If the Bill is passed, it will constitute a breach of the promises made hitherto. Instead of giving relief it is calculated to give the greatest irritation, and that, too, without the slightest justification.

Law 3 of 1885 as it stands is infinitely superior to the present Ordinance; for, under the latter, women, children, and adults who do not enter the country for purposes of trade will be liable to be registered, although they are free under the former. The remission of £3 merely adds insult to injury, for all those who have been registered have already paid the £3. It must not be forgotten that this measure, if it passes, will necessitate a third registration; and why? Simply because some [anti-]Asiatic agitators have said that many Indians have entered the country without authority. The British Indian Association has repudiated the suggestion as applied to the community in general.[2] Assuming, however, that a large body of people have so entered, the evil can be obviated by inspecting the permits already issued.

The Johannesburg *Star* states, evidently with authority, that the method of identification now to be adopted will be very severe. The Indian community has quite gratuitously, and in order to conciliate Lord Milner, allowed the authorities to take thumb-impressions. How much further the Government intends to go, and what further indignity it wishes to impose, it is not possible to conjecture.

I need not go further into the matter at this stage. Much fuller information will be found in the next issue of *Indian Opinion*[3] to which I beg to draw your attention.

From Mr. Duncan's statement, it would appear that the Imperial Government has already sanctioned the principle of the proposed legislation. If so, I can only say that they have not given any consideration to the matter. They have not studied the past despatches, which promised a great deal. Throughout these despatches, no mention is made of registration of the community as if it were merely composed of criminals. The

[1] This was sent to Dadabhai Naoroji who forwarded it to the Secretary of State for the Colonies on September 17. With the exception of the fourth paragraph, it was later published in *India* as from "A Well-informed South African Correspondent".

[2] *Vide* "Letter to Colonial Secretary", pp. 400-3.

[3] *Vide* "On Trial", pp. 449-50.

Draft Ordinance draws no distinction between British Asiatics and others. In one of the Sections, you will notice exemption promised at the discretion of the Government from the Liquor Ordinance to holders of temporary permits. The Section is a wanton insult to the community. No self-respecting Indian will ever claim any such exemption. It is most galling to think that in British territories if Prince Ranjitsinghjee wanted to enter the Transvaal he should have to apply for a permit, and then, in order that he might have a glass of beer, he should have to apply cringingly to the Government for exemption from the Liquor Ordinance. Is this the way in which the most Liberal Government that the Empire has seen for years will protect weak and helpless members thereof?

India, 28-9-1906

449. LETTER TO THE PRESS[1]

[JOHANNESBURG,]
September 19, 1906[2]

[SIR,]

I trust for the sake of elementary justice you will give publicity to the following facts, and even comment, if you think, as I do, that those facts bring to light a shocking state of affairs in the Colony.

An Indian woman named Punia was travelling with her husband from Durban to Johannesburg on the 14th inst. by the Kaffir mail. Her husband held a permit and registration certificate, which mentioned his wife. The wife was, however, arrested and detained at Volksrust for being without a permit. The poor husband had also, therefore, to stay. Both passed the night in the lock-up. Next morning the wife was tried. She had to stand in the dock like a common felon. The arresting constable gave the following evidence :

> My instructions are to arrest all Indians entering this Colony without permits — no matter whether male or female, minors or adults. There is no age limit. These instructions apply even when women and children accompany their husbands and parents. It is of no account for the registration certificate to mention a wife.

It transpired, in the course of evidence, that, according to the husband's testimony, the wife was with him during and after the war in the Transvaal. The Magistrate held that he had no option but to order the wife to leave the Colony before 7 p.m. the same day, as she held no permit. The wife, however, under counsel's advice, proceeded to Johannesburg in defiance of the order of expulsion. She was, therefore, arrested at Germiston. The last has not yet been heard of the case.

1 This letter was addressed by Gandhiji to the three local dailies of Johannesburg, and reproduced in *Indian Opinion* under the title, "A Shocking Permit Case".

2 The letter, without the first paragraph, was published in *The Natal Mercury*, 20-9-1906, as a special despatch, dated September 19, from its Johannesburg Correspondent.

But the future development has nothing to do with the point I wish to make. It is this : May the Government, in the name of the people of the Transvaal, thus set up a reign of terror for British Indian women and children? It was admitted at the trial that this was not an isolated case. Remember that, according to the authorised and printed permit regulations, wives and children under 16 years accompanying their husbands or parents are not required to take out permits. Are Indian women now to go to the Permit Office, and, after a process of exhausting and exasperating examination, to take out their permits? And what of babes in arms? This is no tale from the *Arabian Nights*. Infants hardly able to crawl have been detained at Volksrust. Do even Messrs Loveday and Company require all this? Do you?

I am, etc.,
M. K. GANDHI

The Star, 19-9-1906

450. LETTER TO DR. E. NUNDY

21-24 COURT CHAMBERS,
JOHANNESBURG,
September 20, 1906

DEAR DR. NUNDY,

My answer to both your questions[1] is yes, if the Court is composed of men of known standing and ability.

Yours truly,
M. K. GANDHI

[DR. EDWARD NUNDY
JACOB CHAMBERS
COURT ROAD
JOHANNESBURG]

Pretoria Archives : L. G. File No. 93 : Asiatics

[1] The questions posed were :

"(a) In view of the fact that a certain number of Indians are said to have entered this Colony by illegitimate means, and that there is a difference of opinion between the representatives of the British Indians and the officials of the Asiatic Department as to the approximate number, will you be prepared to accept the decision of a Commission or a special Court, composed of two persons, one a Magistrate of the Colony and the other a person unconnected with the Government, unbiased and capable of conducting a judicial investigation?

(b) In regard to those Indians who are said to be legitimately entitled to return to this Colony, whether they may be at present resident in India or elsewhere, and who for some reason or other are unable to obtain permission to enter the Transvaal, will you accept the decision of the aforesaid Commission in this case, such decision to be final except when there is a difference of opinion between the two members forming the Court in which case an appeal should lie to the Supreme Court by either side?"

451. LETTER TO "LEADER"[1]

JOHANNESBURG,
September 21, 1906

THE EDITOR
Leader

SIR,

Your own Durban correspondent has sent you what purports to be an explanation of my letter to the Press[2] regarding Punia, who was recently arrested at Volksrust for being without a permit, although she was in the company of her husband. "The reason," your correspondent says, "of

[1] This was re-published in *Indian Opinion*, 29-9-1906.

[2] Apropos of Gandhiji's "Letter to the Press", pp. 432-3, *The Natal Mercury*, 21-9-1906, published the following explanation of the Punia case :

"The detention of an Indian woman at Volksrust by the Transvaal authorities, which forms the subject of Mr. M. K. Gandhi's protest in *The Rand Daily Mail*, and published in the Natal papers yesterday, is clearly an incident upon which the wrong construction has been placed. The impression received from Mr. Gandhi's letter is that the intercepting of an Asiatic female, who presents herself at the border without a permit, is unprecedented, and the Transvaal Government's instructions to the police have been characterised as 'War on Women', but this is entirely denied by the immigration authorities in Durban. The Transvaal regulations require, it is explained, that every Asiatic immigrant, whether adult or child, male or female, shall possess a permit before they are allowed to enter the Colony, a man bringing his wife with him, having, in addition, to prove that he is married to the woman. The case is somewhat different in Natal where a woman, accompanying her husband, is not required to produce a separate permit. The man, however, has to furnish convincing evidence as to the woman being actually his wife, and not only has he to bring with him a certificate to that effect, but the matter is subjected to close individual investigation. As a rule, a description of the woman is entered upon the man's registration certificate, so that, as a substitute for her own individual pass, she may be readily identified, but it appears that this is sometimes omitted in the case of Mohammedan women, whose religion obliges them to go about with their faces veiled. It is seldom or never that the local immigration officials insist upon these women's veils being removed, every consideration being shown, wherever possible, to the immigrants' religious prejudices.

"The Transvaal, which has for some time been carrying out a policy of vigorous Asiatic exclusion, makes the entry of coloured immigrants into their territory a matter of much greater difficulty; and this supplies the reason for women being required to carry permits as well as the men. At one time women and children were admitted without passes, owing to the clause in the Ordinance merely specifying 'Asiatics', but this has since been amended to include females as well as males. It was found that women were being brought in ostensibly as the wives of Indians already living in the Colony, who were nothing of the kind, but persons of indifferent character, and the Transvaal authorities now insist upon women taking out permits, because, without that precaution, they feel that the men could bring in an indefinite number of women by simply stating they were married to them.

"At any rate, the woman who was stopped at Volksrust was no detached instance of the Transvaal authorities' activity in restricting unauthorised immigration, and, from the information which is obtainable locally, it certainly appears that the comment of one of the Transvaal papers as to the Government making war on women is justified only by the view that may be taken of the Transvaal's new laws."

altering the Transvaal regulations was that women are being taken in as wives by Indians already living in the Colony, who were nothing of the kind, but often of indifferent character". I can only use one expression to fit the wicked libel on Indian womanhood, namely, that it is an infamous lie. You should publish the name of the immigration official who is said to have given this precious reason. I challenge him to publish the name of even one such woman. I have no hesitation in saying that I am not aware during the whole course of the very considerable experience I have of the administration of the Peace Preservation Ordinance of a single Indian woman of indifferent character having entered the Colony in the manner suggested by your correspondent. I have asked for official information, which shall be placed at the disposal of your readers.[1] In the meanwhile, is it not somewhat strange that the explanation about Transvaal regulations should have to travel all the way from Durban?

I am, etc.,
M. K. GANDHI

Transvaal Leader, 22-9-1906

452. THE LATE JUSTICE BUDRUDDIN TYEBJI

India has, of late, been losing the best of her sons. We had only the other day to record the death of late [*sic*] Mr. W. C. Bonnerjee.[2] We have now to chronicle the death of an equally distinguished patriot in the person of Mr. Justice Budruddin Tyebji. Like the late Mr. Bonnerjee, Mr. Budruddin Tyebji belonged to the Naoroji school.

He was one of the earliest barristers from the Bombay side, having been called to the Bar in 1867. He was the first Indian to be enrolled as an advocate in the High Court of Judicature at Bombay. The late Mr. Budruddin Tyebji, by his industry and ability, soon rose to the top of his profession. He was one of the promoters of the National Congress and was its third President. His knowledge of Urdu was unrivalled, and he shone equally as an orator, whether as an English or as an Urdu speaker. He was held in high estimation as a Judge of the Bombay High Court and his decisions were considered to be always sound and just. His activity as to social reform among his co-religionists was most praiseworthy, and he was an undaunted champion of female education. Not only did he push it among the Mahomedans by his speeches, but he illustrated it in his own family. His own daughters have all received first-class university education.

We tender our respectful condolences to the late Mr. Tyebji's family.

Indian Opinion, 22-9-1906

[1] *Vide* "Letter to *Leader*", p. 444 and p. 448.
[2] *Vide* "The Late Mr. W. C. Bonnerjee", p. 398.

453. THE TRANSVAAL INDIAN PROTEST

The great Indian meeting[1] held in the old Empire Theatre has already begun to bear fruit. *The Rand Daily Mail* has ridiculed the meeting by setting up a false comparison between the Bengal partition agitation and the movement against the Draft Ordinance of the Transvaal, which culminated in the great demonstration recently held in Johannesburg. The ridicule shows that the importance of the meeting was felt. *The Star* has gone into hysterics over the meeting. It incites South Africans to inaugurate an agitation for physical expulsion of the Indians from the Transvaal by way of answer to the British Indian resolve to offer passive resistance to the Ordinance.

Neither *The Daily Mail* nor *The Star* has taken the trouble to study or understand the Ordinance. To them it is a harmless process of registration. If the Ordinance had been given its proper title, namely, an 'ordinance for the identification of suspects or criminals', instead of being misdescribed as a registration ordinance, perhaps our contemporaries would have realized its horror. It is not necessary, as *The Daily Mail* puts it, to impute to the Government any studied desire to subject Indians to unnecessary indignity. The Ordinance speaks for itself. Let it be understood that Indians already hold registration certificates giving particulars, including thumb-prints, in order to identify the holders with the certificates. The new Ordinance now provides for a process of identification to be hereafter devised by regulations subject to change from time to time.

The Star, which seems to enjoy official confidence, informs us that the new system of identification will be drastic enough to ensure detection of abuse or misuse of certificates. Even without the information given by *The Star*, it is only reasonable to suppose that the new system must be stricter than the present one, as Mr. Duncan, with a self-assurance that is astounding, has declared that the present system is inadequate. We have reason to believe that Mr. Duncan, up to the eve of the first reading of the Ordinance, was not aware of the system in vogue. This, however, is by the way, and quite in keeping with the general ignorance and indifference displayed about Indian matters in the Transvaal.

The first registration under the British regime was a voluntary act by the Indian community. This self-effacing courtesy has been misinterpreted by the Government as[2] a docility of nature that would stand any strain and any indignity. If *The Star* thinks that the Indian is born to suffer any ignominy, a meeting such as the one that has agitated our contemporary, was necessary, if only to disabuse it of the idea.

Neither the ridicule of *The Daily Mail* nor the wild threats of *The Star*

[1] *Vide* "The Mass Meeting", pp. 419-23.

[2] The original has "...misinterpreted by the Government into...".

need turn the Transvaal Indians from their solemn undertaking. Threats were only to be expected and so was ridicule. We shall no doubt have much more of both before the struggle is ended. The information we continue to receive from different centres in the Transvaal goes to show that the determination to carry out the historic resolution is as keen as ever. May God help our suffering countrymen in their trial.

Indian Opinion, 22-9-1906

454. TRANSVAAL PERMIT ORDINANCE

In another place, we print the full text[1] of the judgment of the Supreme Court in the case of *Rex* v. *Bhabha*. It will be remembered that, some time ago, Mr. E. M. Bhyat entered the Transvaal on the strength of possession by him of an old Dutch registration certificate. The Magistrate at Volksrust decided that such a certificate was a formal authorisation to reside in the Transvaal, in terms of the Peace Preservation Ordinance. This case was brought in review at the instance of the Attorney-General, but the Supreme Court dismissed the application for review, and the point raised in Mr. Bhyat's case remained undecided.[2]

The same point was brought before the Supreme Court in the case we have mentioned above, and this time there was no difficulty in getting a judicial decision from the highest tribunal of justice in the Transvaal. The decision has gone against the British Indian contention, nor are we surprised at it, but the Supreme Court has decided the main point raised in this case in favour of the appellant, namely, that an expulsion order granted by a Magistrate at the investigation of an application for exemption from having to hold a permit does not prevent the Magistrate from reconsidering his decision on further evidence being brought before him. However, as the Court held that the Magistrate's judgment in Mr. Bhabha's case was right though based on wrong premises, the result was that the sentence of civil imprisonment passed by the Magistrate was reluctantly confirmed by the Bench, though the Supreme Court expressed a great deal of sympathy with the appellant. The Chief Justice suggested that the Crown should remit the sentence, as the case was in the nature of a test case, and both the Chief Justice and Justice Mason thought that Mr. Bhabha, being in possession of the old Dutch certificate, should have a permit issued to him. The Lieutenant-Governor has exercised the prerogative of mercy and remitted the sentence passed on Mr. Bhabha, and it is highly probable that Mr. Bhabha will be allowed to remain undisturbed in the Transvaal. So far, therefore, as the individual is concerned, at last justice will have been done.

But this case has important bearings on the Indian position. It shews

1 Not reproduced here

2 *Vide* "Transvaal Permits", pp. 374-5.

that there is something very seriously wrong with the administration of the Peace Preservation Ordinance. We have the solemn word of Lord Selborne, given to the British Indian deputation at Middelburg, that all pre-war Indian residents of the Transvaal shall be allowed to enter the country.[1] We have the assurance of the Colonial Secretary that such residents have a right to enter the country, and yet, we find that Mr. Bhabha had a very great deal of difficulty about entering the Transvaal. There are many such cases in which, in spite of proof of registration certificates, men are still without their permits. May we not then hope that Lord Selborne's assurance will be translated into practice, and such men who have waited long enough at the coast will be permitted to re-enter the Transvaal?

Indian Opinion, 22-9-1906

455. DIFFICULTIES OF INDIAN WOMEN IN THE TRANSVAAL

The permit difficulties of women continue unabated in the Transvaal. We give details of one such case in our English columns. Mangare and his wife, Punia, were both travelling to the Transvaal on September 14. The Police Inspector at Volksrust forced the wife to detrain as she did not have a separate permit. Mangare produced his own permit and registration certificate. And though the wife's name was also mentioned in the register, she was not allowed to proceed. So the husband and the wife both got off the train and had to stay in the lock-up. When the case was heard on the 15th, the Police Officer deposed that his orders were to arrest permitless women and children whether or not they were accompanied by their husbands or parents and whatever the age of the children. The evidence also revealed that the wife was in the Transvaal on May 31, 1902. Nevertheless, on the ground that the woman did not come forward to give evidence, the Magistrate ordered her to leave the Colony before seven o'clock that very evening. Thus are wives separated from husbands and children from parents under this Government. It is necessary for us to take effective measures in this matter. We hope this case will, if necessary, be taken to the Supreme Court. We believe that it is a thousand times better for men to suffer imprisonment than to submit to such a law.

[From Gujarati]

Indian Opinion, 22-9-1906

[1] Lord Selborne gave this assurance when an address was presented to him at Middelburg on September 4; *vide Indian Opinion*, 8-9-1906.

456. *JOHANNESBURG LETTER*[1]

The Mass Meeting in the Transvaal

The Rand Daily Mail says that no meeting has ever taken place in the Transvaal like the one held by the Indians in the Empire Theatre. The Theatre was packed, at least three thousand persons attending. Many people could not get in for want of room. The shopkeepers and hawkers had all closed business at ten in the morning. Though the Theatre gates were due to be opened at two, people began collecting from eleven onwards and the Theatre had to be opened at twelve. By 1.30 there was no room for anyone to enter the spacious Theatre. Though such a large number of persons had assembled, there was no untoward incident, and quiet prevailed everywhere. The people sat or stood patiently, waiting for the proceedings to start. Such a meeting and such enthusiasm have never before been seen among Indians.

Though all this shows the extent of oppression to which Indians are subjected, it must be admitted that much of the credit for holding such a meeting goes to the Hamidiya Islamic Society. The Society's Hall was thrown open to all, Hindus and Muslims alike. For a week past, meetings had been held there during which all the leading Indians held consultations. Very often, the meetings continued till midnight. Younger associations in South Africa would do well to follow the example of the Hamidiya Society.

The meeting was attended by representatives from a number of places. Telegrams or letters expressing sympathy and agreement with the aims of the meeting were received from Middelburg, Standerton, Klerksdorp and other places. Both the Colonial Secretary and Mr. Chamney were invited. Mr. Chamney attended and sat to the right of the President. In addition, white gentlemen like Mr. Lichtenstein, a lawyer from Pretoria, Mr. Israelstram, Mr. Littmann Landsberg and Mr. Stuart Campbell's manager were present. Reporters from all the three newspapers also came.

The President, Mr. Abdul Gani, began his speech exactly at three o'clock. Everyone felt that Mr. Abdul Gani was at his best. His speech in excellent Hindustani was brief and eloquent. His narration of the facts was quite moderate, yet forceful. His voice was loud and so audible everywhere. His speech was received with acclamation. When he spoke of gaol-going, the audience shouted in one voice, "We shall go to gaol, but will not register ourselves again."

The English version of Mr. Gani's speech was read out by Dr. Godfrey.

[1] This despatch was entitled "A Special Report".

Mr. Nanalal Shah

The task of moving the First Resolution was entrusted to Mr. Nanalal Valji Shah, who spoke [in English. We summarize his speech below:

> We have met today for very serious business. Mr. Duncan has said that the new law is necessary, because the registers[1] already issued are such as can be sold, and with these, others who do not have the right come in. Now let us take the example of a bank. Suppose a bank finds that some forged notes bearing its name have passed into currency, will it cancel all the notes? Mr. Duncan tells us that because our registers are faked, he will give fresh ones in exchange. What a law this is! But I assert that the registers are not counterfeit.

Producing his own register Mr. Shah declared, "This register contains my name, my wife's name, my caste, my profession, my height, my age," and slamming the paper on the table, he added:

> It bears even my thumb-impression. Is all this not enough? How can anyone else use this register? Does the Government want now to brand us on our foreheads? I will never return my register. Neither will I be registered again. I prefer going to gaol, and I will go there. (Applause.)

Mr. C. K. T. Naidoo seconded Mr. Shah and explained the matter to the Tamil-speaking people in their language.

Mr. Abdul Rahman

Mr. Abdul Rahman rose to move[2] the Second Resolution. In his brief speech he said that we suffered greater oppression under the British regime than under the Boers. As Sir Henry Cotton had put it, while the Boer Government flogged us, the British Government was scourging us with scorpion stings.[3]

Dr. Godfrey

Supporting Mr. Abdul Rahman, Dr. Godfrey said :

> The tall promises made to us by Lord Milner, Lord Roberts and Mr. Chamberlain have proved worthless. ('Shame!')

The Doctor produced a photograph of the late Queen-Empress that had been distributed by the Indian community among its schoolboys in Durban,[4] and said:

> We worship this Queen, whose Proclamation has been set at naught by the Transvaal Government. Whereas under the Union Jack we should get equal rights, liberty and justice, we have instead slavery, injustice and denial of our rights. I do not at all agree that there has been an influx of Indians without permits or with false ones. I defy Mr. Loveday and his company to contradict me if they have the courage. We are not going to submit to such oppression. We shall go to gaol rather than do so. Let no one imagine that we shall run away in fear. If the bill is passed, we will storm the courts and say, 'Arrest us'. (Applause.)

1 In the Gujarati, Gandhiji has used "register" for "registration certificates".

2 The original has "to second".

3 At the twentieth session of the Indian National Congress held at Bombay in 1904, he said, "In dealing with Indian Colonists their [the British rulers'] little finger has been thicker than Mr. Kruger's loins, and where he had chastised with whips, they have chastised with scorpions."

4 *Vide* Vol. III, pp. 178-9 and illustration facing p. 184.

Mr. Getta of Potchefstroom spoke in Gujarati and supported the Second Resolution.

Mr. Essop Mian

The task of moving the Third Resolution fell to Mr. Essop Mian, who said:

> British rule in the Transvaal is worse than the regime in Russia. I myself went to Pretoria to wait on Mr. Duncan, who made many promises, but has fulfilled none of them and has betrayed us. It is necessary for us to send a deputation to England. We shall raise an outcry there, but if the Imperial Government does not listen to us, we shall go to gaol. I have been in the Transvaal for nineteen years, but never before have I seen such oppression as during the last three years.

Mr. E. S. Coovadia

Seconding this Resolution, Mr. Ebrahim Salejee Coovadia made the following speech :

> The chairman and others have already spoken on the Draft Asiatic Ordinance, so that little remains for me to say about it. This much is certain : wherever the subjects of a State are free from tyranny, they are happy and both the rulers and the ruled are relaxed. The late Boer Government, at the instigation of these same British friends, enacted oppressive laws before the war; being rather kindly disposed towards us, that Government did not, however, enforce them. Thanks to their kindness, we were quite happy until the war with the British broke out. Now that our [British] Government had won control of the Colony, we were hoping that we would gain all the rights, since the Government had also given us assurances to that effect, but unfortunately, what we see today is quite the opposite, and they are enacting insufferable laws against us. It is, of course, our duty to submit to all the reasonable laws that the Government may make in the public interest. But such is not the case. Since the present Government assumed power in the Colony, they have placed, upon us in particular, one severe restriction after another. All these we have suffered so far, but now we have had our fill. Just as a river in spate can take in no more and overflows its banks, so also can we no longer stomach oppressive laws. We should therefore take strong measures against the Draft Ordinance, though we are told that the law is designed for our benefit as we are British subjects. To this I would only answer, 'By these laws, you are not making of us British *raiyat*, but *maiyat*[1].' I therefore support the resolution moved by Mr. Essop Mian to send a deputation as soon as possible to England and to put up a stiff resistance.

Mr. A. E. Wania of Krugersdorp supported the resolution, and Mr. Manilal Desai of Pretoria spoke in favour of it.

The Gaol Resolution

Even as Mr. Hajee Habib rose to speak, the audience greeted him with cheers. His speech was so caustic and impassioned that even those who did not know Gujarati said they could follow its purport. Now and then, Mr. Hajee Habib used English anecdotes. The audience was greatly roused by his speech of which the following is a summary:

> The Fourth Resolution is the most important of all. Everything depends upon it. There is no disgrace in going to gaol; rather it is an honour. Only a few people knew of Mr. Tilak before he went to gaol; today the whole world knows him.

1 "Not subjects but corpses"

We are not going to get justice at the hands of the British Government. It kills us with sweet words; we should not be deceived. They offer us sympathy, but we ask for justice, not sympathy. The British are ever willing to advise others. They are always ready to appease the Christian peoples. Take the case of Turkey. The British do not hesitate to bully Turkey, and that not in order to secure the interests of their own subjects. Again in this country, the doors are open to the whites and Christians, even if they be foreign nationals. In their view, the whites are descended from Heaven and we, they think, have come from the other place. This Bill is most objectionable. If it is passed, I solemnly declare that I will never get myself registered again and will be the first to go to gaol. (Applause.) I recommend the same course to you all. Are you all prepared to take the oath? (The Assembly stood up to a man and said, 'Yes, we will go to gaol!') Only by so doing shall we succeed. We tried this method in the days of the Boer Government also. Some 40 of our men were once arrested for trading without licences. I advised them to go to gaol and not to seek release on bail. Accordingly, they all remained there without offering bail. I immediately approached the British Agent, who approved of our action and ultimately secured justice for us. Now that a British Government is in power, the time has come for us to go to gaol, and go we will.

As he repeated the last phrase thrice, the meeting greeted his resolve with applause.

Mr. Hajee Ojer Ally

When Mr. Hajee Ojer Ally stood up to second the Fourth Resolution, the whole Theatre resounded with prolonged cheers which took some time to subside. Then Mr. Ally made a thundering speech in English, which is summarised below :

The resolution I stand here to second is not an ordinary one, and it enjoins a great responsibility on us. I am the father of eleven children, but I am prepared to take up the responsibility. Like Mr. Hajee Habib, I, too, shall refuse to register myself and prefer to go to gaol and deem it an honour. The Government have betrayed us. In answer to our petition, they said that the matter was under consideration and that they would give us a definite reply. They said the same thing to the deputation. Despite this, two days later, they brought the Bill before the Legislative Council, and within four days, had it passed. ('Shame!') The Bill originally envisaged registration of women also. But, owing to the efforts of the Hamidiya Society, that provision was dropped.

Producing a Union Jack, he went on :

Since my childhood, I have been told that, under this Union Jack, I shall always find protection. That is exactly what we now ask for. On the occasion of the Delhi Durbar, His Majesty King-Emperor Edward declared that he would give us our rights and preserve our status just as Her Majesty Queen Victoria had done. Does not that promise extend to the Transvaal also? We, the Indians resident here, demand that we be allowed to live in peace and happiness. In fact, we should have more rights than the non-British whites. They complain, because a few of us might have entered the Colony without permits. I make bold to say that, if only the Government would send three constables with me, I shall forthwith have a thousand permitless whites arrested. For the last 25 years, I have been in South Africa. In the Cape I exercised the right to vote and other rights as well. Nowhere except here in the Transvaal have I seen such oppression of our people. And the Transvaal is still a Crown Colony. When it was under the Boers, the British whites came to me

> for my signature to their petition. Now they are against us. We will not take up rifles as they did but like them[1] we shall go to gaol. (Applause.)

Mr. Moonlight Mudaliar then supported the Resolution in a Tamil speech.

Seconding the Resolution, Dr. Godfrey said :

> Just as India is the crown of the British Empire, so shall we, by going to Johannesburg gaol, become its most cherished possession. We won't wait for the police to come and arrest us.

Mr. Aswat, who spoke in support, appealed to those present to write and tell their people at home that they were all getting ready to go to gaol.

Mr. A. E. Chhotabhai of Krugersdorp supported the Resolution in a Gujarati speech, saying that the people of the town were prepared to go to gaol rather than register themselves.

Mr. Omarji Saheb also supported the Resolution.

Mr. Tar Mahomed Tayob of Pietersburg declared that the people there were ready to go to gaol but would not register themselves.

Mr. Imam Abdul Kadir also supported the Resolution.

In supporting the Resolution, Jemadar Nawabkhan said that he had served the Government in the War. He would now prefer gaol to the humiliation of registration.

Mr. Gandhi said that the responsibility for advising them to go to gaol was his. The step was grave, but unavoidable. In doing so, they did not hold out a threat, but showed that the time for action — over and above making speeches and submitting petitions — had arrived. When people passed a resolution, it was their duty to adhere to it. And if they did that, success was bound to be theirs.

Thereafter, the whole assembly stood up and passed, amid acclamation, the resolution about going to gaol.

Mr. Bhikubhai D. Malia moved the Fifth Resolution, and made a brief speech. Mr. Jusab Haji Vali of Pietersburg seconded it.

The business of the meeting was over at 5.30 p.m. Mr. Chamney then rose with the Chairman's permission and expressed his thanks for having been invited to the meeting.

Mr. Laishansai proposed a vote of thanks to the Chair, adding that he had never seen such a meeting before and hoped that the Liberal Ministry [in England] would do them justice. Mr. Israelstram, who seconded the vote, expressed sympathy for the Indian cause and appealed to the audience to continue the struggle.

The meeting dispersed at five minutes to six. Three cheers were called for King-Emperor Edward, and *God Save The King* was sung.

For Indians, this meeting will for ever remain memorable.

[From Gujarati]

Indian Opinion, 22-9-1906

[1] The contrast appears to be between the British in South Africa who fought the Boers and Britons like Hampden and Bunyan who went to gaol.

457. LETTER TO "LEADER"

[JOHANNESBURG,]
September 22, 1906

[THE EDITOR
Leader
SIR,]

I have promised, in my letter dated the 21st instant[1], regarding the treatment of the Indian woman, Punia, to let you have any official reply I might receive. The following is the text of a telegram I addressed to the Registrar of Asiatics :

> *Leader* publishes statement that reason for requiring women take out separate permits is that women are taken in as wives by Indians in Colony though they were not wives but were often of indifferent character. Will you please wire whether your office believes in above charge. I wish to publish your reply.

The Registrar has returned the following reply :

> With reference your telegram 21st inst., no such statement as that alluded to in your message was made by any officer in the service of this department.

In justice to the community that has been so cruelly libelled by your correspondent at Durban, I trust that you will publish the name of the official who is supposed to have given the information referred to by your correspondent, or ask him to withdraw the statement made by him.[2]

[*Yours, etc.*,
M. K. GANDHI]

Indian Opinion, 29-9-1906

[1] *Vide* "Letter to *Leader*", pp. 434-5.

[2] In response to Gandhiji's letter, *Transvaal Leader*, 9-10-1906, published the following apology :

"With reference to the statements published some days back concerning the grant of permits to British Indian subjects to enter the Transvaal Colony, and the allegation that women who were styled wives were 'frequently of indifferent character', *The Natal Mercury* of Monday last has the following : 'Mr. M. K. Gandhi has written to us from Johannesburg concerning an article which appeared in our issue of the 21st ult., in which the detention of an Indian woman, named Punia, at Volksrust, for being without a permit, was dealt with. Mr. Gandhi is displeased with certain contents of the article, which he views as casting an unjustified aspersion upon Indian women in the Transvaal. We applied to what quarters were available in Durban for information upon the incident, but it will be obvious that here in Natal the same facilities — such as those open to Mr. Gandhi, for instance — for obtaining full intelligence as to the Transvaal affairs do not exist as in Johannesburg, where Mr. Gandhi resides, and any unfounded or exaggerated statement is mainly attributable to that cause. It is emphatically denied by Mr. Gandhi that Indians domiciled in the Transvaal are seeking to gain admittance to the Transvaal of women of indifferent character, passing them off as their wives, and to prove this he has made enquiries in official and other quarters, and denial was the result. The statement must, therefore, be withdrawn as being one that is not in accordance with ascertained facts. It is well that the public should know this, and

458. LETTER TO IMMIGRATION RESTRICTION OFFICER

[JOHANNESBURG,]
September 22, 1906

TO
THE PRINCIPAL IMMIGRATION RESTRICTION OFFICER
DURBAN

[SIR,]

I enclose herewith cutting from the *Transvaal Leader* referring to certain regulations that have been framed in connection with the granting of permits to Asiatics in the Transvaal.

I shall be obliged if you will kindly let me know whether any official in your department is responsible for the reason that is alleged to have been given to the Durban correspondent of the *Leader* by an immigration official, namely, that Indians in the Transvaal have taken in, as their wives, Indian women of indifferent character.

I may state that I addressed a similar enquiry to the Registrar of Asiatics at Pretoria and he has repudiated the statement.[1]

[*Yours, etc.,*
M. K. GANDHI]

Indian Opinion, 6-10-1906

459. JOHANNESBURG LETTER

September 25, 1906

For the Indian community in the Transvaal the last week was full of restlessness, like that of a delirious patient tossing from side to side. Just when the deputation was to leave and all preparations had been finally made, came the bomb-shell — a letter from Lord Selborne which, as is now known, was full of ambiguities. It caused a split. Everybody took it that the Bill for re-registration had become law. It was therefore decided that the deputation should not sail. This was the state of affairs till Tuesday noon. In the afternoon on that day, a telephone message was received from the High Commissioner saying that Lord Elgin's approval did not mean that formal sanction had been given to the law. This again led to

further, that Mr. Gandhi assures us that he does not know of a single such case.'

"Similar statements were published in this journal upon the authority of our Durban correspondent, and conceivably derived from the same source, and it is therefore only fair that equal publicity should be given to the retraction."

This was reproduced in *Indian Opinion*, 13-10-1906.

[1] *Vide* "Letter to *Leader*", p. 444.

a new course of action. The same night some Indians met together, called on Mr. Haji Ojer Ally, obtained his consent, and considered recommending that the Indian community send him alone as a one-man deputation. On Wednesday that idea was put into execution; but it was shown last week to every Indian how and when man is rendered powerless. Messrs Gregorowski and Lichtenstein were of the emphatic opinion that it was absolutely essential to include Mr. Gandhi in the deputation, and that the deputation should certainly be sent. The Indian community in Pretoria, on the other hand, emphasized the need of Mr. Gandhi remaining in the Transvaal, lest through fear or temptation people should waver and take out new registration certificates. Strongly-worded telegrams were received from Natal to say that it was quite necessary to send the deputation as decided earlier. A meeting was therefore held on Friday, and it was unanimously decided that both Mr. Ally and Mr. Gandhi should go. The consensus of opinion was that Mr. Adbul Gani should also go, but the idea had to be reluctantly given up as there were strong reasons why he could not go. Before agreeing to go, Mr. Gandhi got the leading men to give a written undertaking that, notwithstanding difficulties that might arise, they would adhere to the Fourth Resolution. This document will be published next week.

Another Letter from Lord Selborne

About the time this decision was taken, another letter was received from Lord Selborne. Clarifying the situation further, he said that the new Ordinance would be despatched that week to England, and that the Royal assent, if given at all, would naturally be after it had reached there. Under the circumstances, there was no cause for apprehension. It is likely that the Royal assent will not be given and the Bill cannot become law before the deputation returns.

Deputation Expenses

The Committee has sanctioned up to £900 towards the expenses of the deputation of which £300 have been sanctioned for Mr. Ally for his domestic and other expenses. Mr. Ally has indicated that he will, if necessary, spend a portion of this sum on public work in England. The remaining £600 will be spent on the deputation, and a detailed statement of expenses will be submitted to the Committee.

Members of the Deputation

Of one of the members of the deputation, Mr. Gandhi, it is needless to write here. The other, Mr. Haji Ojer Ally was born in 1853 in Mauritius, where he had his education. He started work in 1868 and took up the job of a printer in the office of the *Commercial Gazette*. In 1873 he got employed as a clerk in a wharf, and joined the firm of Messrs Charles Jacob and Son as a shipping clerk in 1876. He then went on a pilgrimage to Mecca and became a Haji. In 1884 he landed at Cape Town and

set up business as a manufacturer of aerated water. He began doing public work in 1885. The Government proposed to remove the Malay cemetery to a place far away from town. The Malays opposed the move and a disturbance was feared. Mr. Ally then intervened. A settlement was effected and a nearer site fixed for the cemetery. In Cape Town, Mr. Ally was a voter both for Parliament and the Municipality and always took a prominent part in the elections. In 1892 he went to Kimberley and other places, where he was elected Chairman of the Coloured Peoples' Organization. He took a leading part in the movement against the Franchise Law Amendment Act of the Cape, when a petition signed by 22,000 Coloured people was sent to London. After 1892 Mr. Ally went to Johannesburg and settled there. Mr. Ally interviewed the British Agent and other public men in the Transvaal in connection with the condition of British Indians there. He is the founder of the Hamidiya Islamic Society and is at present its President. The Society is doing excellent work. As is well known, it has a large membership and its work is being carried on with great enthusiasm. Mr. Ally has a large family; he is the father of eleven children whom he has been giving a good education.[1]

[From Gujarati]

Indian Opinion, 6-10-1906

460. LETTER TO D. C. MALCOLM

JOHANNESBURG,
September 26, 1906

TO
D. C. MALCOLM, ESQ.
GOVERNOR'S OFFICE
JOHANNESBURG

DEAR SIR,

With reference to your letter of the 24th instant addressed to the Association, will you be good enough to let me know whether it means that Royal assent has been given by cable to the Asiatic Ordinance?

I remain,
Yours faithfully,
ABDOOL GANIE
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

Indian Opinion, 6-10-1906

[1] *Vide* also "Haji Ojeer Ally", pp. 459-60.

461. LETTER TO DR. E. NUNDY[1]

21-24 Court Chambers,
Johannesburg,
September 26, 1906

[Dr. Edward Nundy
Jacob Chambers
Court Road
Johannesburg]

dear dr. nundy,

I hold that a Colony has a perfect right to regulate immigration even as to British subjects, but not so as to make class distinctions.

You may make what use you like of this communication.

Yours truly,
M. K. Gandhi

Pretoria Archives : L. G. File No. 93 : Asiatics

462. LETTER TO "LEADER"

[Johannesburg,]
September 27, 1906

[Editor
Leader

sir,]

To complete the chain of enquiry regarding the libel on Indian womanhood published in your paper[2], I hope you will insert the following reply received by me from the Principal Immigration Restriction Officer at Durban :

> As the reasons that guided the Transvaal Government in the framing of the regulations touching Immigration are unknown here, it is impossible that any expression of them can have emanated from this Department.

[*Yours, etc.,*
M. K. Gandhi]

Indian Opinion, 6-10-1906

[1] This was in reply to Dr. Nundy's letter which read : "Would you mind putting in writing your views as to whether a country or Colony has the right to restrict by legislation the entrance into its territory of a particular race or class of people, even though the would-be immigrants are subjects of the same Crown?

"If as you stated to me, your views on this subject have been misunderstood, it would be desirable to correct such a misapprehension, and I shall be glad if, when writing, you would give me the permission to make use of your reply, if I consider it necessary."

[2] *Vide* "Letter to *Leader*", pp. 434-5.

463. LETTER TO DR. E. NUNDY[1]

21-24 COURT CHAMBERS,
JOHANNESBURG,
September 27, 1906

[DR. EDWARD NUNDY
JACOB CHAMBERS
COURT ROAD
JOHANNESBURG]

DEAR DR. NUNDY,

By class distinction I mean that there should be no legislation applying to Asiatics, Coloured people or Indians as such.

All legislation ought to be, [as] laid down by Chamberlain, of a general character.

Yours truly,
(Signed) H. M. GANDHI[2]
for M. K. GANDHI

Pretoria Archives : L. G. File No. 93 : Asiatics

464. ON TRIAL

We are enabled to publish copies of communications from Lord Selborne addressed to the British Indian Association, in connection with the new Asiatic Ordinance of the Transvaal. One of them states that Lord Elgin has already approved of the Ordinance, and that His Excellency does not consider that any useful purpose is likely to be served by sending the proposed deputation to England.

We offer our sincere congratulations to the British Indians in the Transvaal on the decision of Lord Elgin. The decision reflects no credit on a liberal Secretary of State for the Colonies, especially when one realizes that the Secretary of State for the Colonies has, at one time, occupied the Viceregal throne in India. But Lord Selborne has told us that out of evil very often cometh good, and if the British Indian community is true to itself, good will most assuredly result from the momentous decision of Lord Elgin. His Excellency has clothed with life the historic fourth resolution[3] of the great meeting, held in the now extinct Empire Theatre in Johannesburg. That resolution will be the touchstone by which the national and self-respecting spirit of Indians in the Transvaal is to be tested. Lord

[1] This was in response to Dr. Nundy's query as to what Gandhiji meant by "class distinction". *Vide* "Letter to Dr. Nundy", p. 448.

[2] Gandhiji's eldest son

[3] *Vide* "The Mass Meeting", pp. 419-23.

Elgin, evidently under the inspiration of Lord Selborne, has accepted the Indian challenge. On one side has now to be ranged brute force; on the other, simple passive resistance. British Indians have a just cause; it will become infinitely juster and more sanctified by their putting into force the fourth resolution and declining, in spite of Lord Elgin's approval of the Ordinance, to submit to its galling conditions, and to the "serious and wanton injustice" which the Ordinance contemplates. We have no hesitation in very respectfully repeating the last expression, although Lord Selborne, in one of his letters, does not agree that the Ordinance inflicts any such injustice. We must accept His Excellency's assurance that the Ordinance is not in conflict with the views expressed by His Excellency from time to time. He alone knew with what mental reservations he uttered the lofty sentiments before the Zionist meeting, and spoke of the trusteeship on the eve of the Boer war.

Similarly, we beg leave to take exception to His Excellency's judgement as to the Ordinance; it is those who have to submit to it that are at all capable of knowing whether it is just or otherwise. Lord Selborne's reply to the British Indian protest bristles with points which can be argued from a British Indian standpoint, but enough of argument has already been devoted to the controversy. It is now time, not for argument, but for action.

The first of January will be, for millions of His Majesty's subjects, a day of gladsome prospect. To British Indians in the Transvaal likewise, it will be a similar day, though not in the same sense. They must marshal their forces and conserve their energy. They will need to be ready to face the inevitable on that eventful day. The community is now on its trial. Let us hope it will emerge scatheless. By its action will be judged Indian character, if not throughout the world, certainly in South Africa. In having passed the historic resolution, the meeting has undertaken a trust which British Indians in the Transvaal must discharge, come what may.

Indian Opinion, 29-9-1906

465. THE PUNIA CASE

Our contemporary, *The Rand Daily Mail*, by its spirited advocacy of the unfortunate British Indian woman, Punia, has given the matter a prominence which is thoroughly deserved by the circumstances of the case.[1] Indeed, it would appear that Mr. Gandhi has understated the

[1] *The Rand Daily Mail*, while publishing the "Letter to the Press", pp. 432-3, wrote: "The harshness complained of touches the British Indian community in a particularly tender spot. No nation is more careful of the women of its race than the mass of people of India. No one in the Transvaal desires to create friction and make an admittedly difficult problem still more difficult by stirring up bad feeling over such a delicate matter. We feel that the white people will demand an investigation and an explanation of the Punia affair as strongly

gravity of the situation, in that he omitted to mention what is, perhaps, the most unpleasant feature of an unfortunate affair, namely, that the woman was made to give her ten finger-prints at the Charge Office in Volksrust, and was obliged to do so again at Germiston. The facts being undisputed, a discreditable attempt has been made to justify the regulations referred to by Constable McGregor who arrested the woman, and we are grieved to find that *The Natal Mercury* has lent itself, we have no doubt unconsciously, to such an attempt. The *Transvaal Leader* had the substance of the paragraph in *The Natal Mercury* telegraphed to it, to which Mr. Gandhi has sent a reply[1] repudiating the vile charge made against Indian women, and characterising it as an infamous lie. He then wired to the Registrar of Asiatics, who has promptly replied to the effect that no such statement as published in the papers had been made by any official connected with his department. *The Natal Mercury*, which is always fair, will, we hope, in this case, publish the name of the official who made the statement attributed to him or withdraw the libel.

If the working of the Permit Ordinance was as well known to the public generally as it is to us, they would have realised the full significance of the Punia case, and the cruel wrong that has been inflicted, not only on the woman in question, but on the whole of the Indian community. The evidence given by the constable in this painful case was, we have reason to believe, the first authoritative pronouncement regarding British Indian women having to take out permits, even when they may be in the company of their husbands. The husband of Punia stated emphatically that he knew nothing about a permit being required for his wife, but we will assume that the husband was aware that a separate permit was necessary. It is still a legitimate question why Indian women should require any permits at all. The printed instructions issued by the Chief Secretary for Permits lay down that wives of husbands holding permits are not required to take [out] permits apart from their husbands, nor are children under sixteen years apart from their parents. If such be the case, why should separate instructions be issued for Indian wives, seeing that they, too, are governed by the same Permit Ordinance?

Even if definite instructions were to be issued in writing regarding Indian women, we consider that it would be the paramount duty of British Indians to refrain from taking out any such permits for Indian women, and to protect them from the insult and degradation that attend the taking out of these permits. Are Indian women to make separate applications, put down their thumb-impressions, go half-a-dozen times to Justices of the Peace in order to make declarations required by the Asiatic Office, and to make affidavits that they are the wives of their husbands—perchance, also, to prove that they are refugees, for is it not the rule of the Asiatic Office not to grant permits to any but British Indian refugees?

as Mr. Gandhi. There is a fixed determination to prevent an influx of Asiatics, but the government has received no mandate from the people to make war on women."

[1] *Vide* "Letter to *Leader*", p. 444.

Suppose, further, that the application of a wife is delayed or refused, is the husband, who is holder of a legitimate permit, to remain out of the Colony until after the application of his wife is granted, or, to remain out of the Colony entirely, in the event of a refusal of the application on behalf of the wife ? There never has been any reproach against Indian womanhood in South Africa except now, for the first time, in the sinful imagination of an anonymous immigration official. But even if a few miserable specimens of Indian humanity were to introduce into the Colony women of indifferent character, will that be any justification for submitting wives of hundreds of honest Indian settlers in Johannesburg to the painful processes required to be undergone by the Permit Office ? If the authorities persist in the instructions said to have been issued, we have no hesitation in saying that they will be playing with fire, and they may give rise to a state of things for which they, and other South Africans, may have reason to be extremely sorry.

We can emphatically re-echo the sentiments of the leader-writer of *The Rand Daily Mail* that harshness of the kind that poor Punia had to undergo touches British Indian sentiment on its tenderest part. We think that our contemporary has rendered a public service in drawing pointed attention to this case. We hope that the authorities will issue definite instructions countermanding the orders referred to by Constable McGregor, and give those instructions as wide a publicity as possible.

Indian Opinion, 29-9-1906

466. *TRANSVAAL PERMIT ORDINANCE*

On the 15th inst., one Hafeji Moosa and his son, Mahomed Hafeji Moosa, were tried before the Magistrate at Volksrust under the Peace Preservation Ordinance; the father for having abetted his son (who was acknowledged to be under eleven years) in entering the Transvaal under a permit obtained by improper means, and the son with the offence of having entered the Colony on a permit obtained by improper means. Evidence was given to the effect that the father and son travelled together on the 5th July and passed through Volksrust. They were examined there. The father produced his permit and the son is alleged to have produced a permit issued in the name of one Bhaima. The inspecting constable was unable to say that the boy produced the permit in question. The boy's thumb-imprints were taken, sent to Pretoria, and as they did not tally with the thumb-imprints on the counterfoil of the permit issued to Bhaima, both the father and son were arrested at Potchefstroom. It further came out, in the evidence of Mr. Cody, Chief Clerk in the office of the Registrar of Asiatics, that the instructions from the Permit Office were to arrest all British Indians, whether male or female, of whatever age, in the case of wives, whether [or not] they were in the company of their husbands, and in the case of children, whether [or not] they were in the

company of their parents, unless they could produce separate permits. Both the father and son denied that the son had entered on the permit issued to Bhaima. The Magistrate discharged the father, but found the son guilty, and sentenced him to pay a fine of £50 or suffer imprisonment without hard labour for three months. Appeal has been noted. The case is considered to be of considerable importance, in that a boy of tender years, travelling with his father, has been sentenced so heavily, in spite of the fact that Magistrates are guided in the punishment of juvenile offenders by special powers given to them to administer cuts.

Indian Opinion, 29-9-1906

467. INDIANS IN DELAGOA BAY

The fear of an attack on the rights of Indians increases as more and more Englishmen crowd into Delagoa Bay. According to our correspondent, a movement is afoot in that place to drive Indians into Locations. It also appears that the Indians there will offer strong resistance. Our correspondent adds that an Association has been formed to fight the measure. We hope the Association will do its work with vigilance. It is very gratifying that, at this juncture, there is in Delagoa Bay a gentleman like Mr. Kothari. He is a lawyer of the Bombay High Court and a patriot. He has made good use of his stay in Delagoa Bay. He has studied Portuguese, which, we believe, will stand him in good stead in serving the country. Wherever there are educated Indians, it should be their duty to use their education in the service of their motherland.

[From Gujarati]

Indian Opinion, 29-9-1906

468. A WARNING

The report of an Indian case, published by the Town Council in the *Krugersdorp Standard* dated September 1, is regrettable, and puts the Indian community to shame. A leading Indian of the place did not effect the necessary improvements to his premises despite a notice requiring him to do so. His bedroom had a ceiling only of cloth; the lavatory floor was not proof against the seeping of dirty water; and the lavatory was used although it had no bucket. Since the notice was ignored, the Town Council ordered proceedings to be instituted against him, with results so far unknown to us. But that those who are considered leading Indians should keep their premises in the condition described here makes us hang our heads in shame. One of the many charges the whites make against Indians is that of uncleanliness. Such cases only prove the charge, and the outcome cannot but be unfavourable when these are found among moneyed and respectable Indians. All Indians will, we hope, learn a lesson from this case and keep their premises clean. No one can deny that the state

of our houses is not all that it should be. It is clear that we should be all the more cautious in matters where our shortcomings are only too apparent.

[From Gujarati]

Indian Opinion, 29-9-1906

469. JOHANNESBURG LETTER

A Whip

The huge meeting at the Empire Theatre is over. (The Theatre has [since] been gutted by fire.)[1] Three thousand men mustered together; they applauded; evinced enthusiasm; it was all very impressive. But all this seems to have vanished like a dream! All the men present in that theatre had resolved that a deputation must be sent to England. They had declared that there would be no difficulty in collecting the necessary funds. Your correspondent, who had full faith in the people, had taken it for granted that men speaking such words could raise six to seven thousand pounds in a day. But I am sorry to have to say that Mr. Gulam Mahomed, the Treasurer, has not yet received even a thousand pounds towards the fund for sending a deputation and fighting the Asiatic Ordinance. Men who have collected money are not willing to part with it on the pretext that others are not doing so. A telegram from a certain place says that the collection is yet to be made. News received from another says that remittances would be made only after a certain Sheth has made his contribution. A message from a third town says that they do not mean to send anything because a certain community is not contributing. Thus, for a variety of reasons, money is not forthcoming. No one can say that a proper organization has not been set up for the management of the Fund. A committee consisting of about 25 leaders of different communities has been formed. Not a single cheque will be issued without the sanction of the committee. Four persons have to sign a cheque, and it is obligatory for the committee to publish detailed accounts every month. Thus, on the one side, our hardships are unlimited; on the other, we have with great care appointed a committee of management. What could be more shameful in these circumstances than to be unable to raise the necessary funds ? This is a testing time for every Indian; and if we are found wanting, we shall suffer a heavy penalty. Not only shall we be reduced to a sorry plight, but even our heirs shall taste the fruit of our sin. Not only has the money not been collected, but even the membership of the deputation has not been decided on.

Mr. Bhabha's Case

An account has been given already of Mr. Bhabha's case up to the stage where it was taken to the Supreme Court. As recommended by the

[1] Round brackets are ours.

judges, the sentence passed on Mr. Bhabha has been remitted, and he has now got the permit and the register enabling him to stay in the Transvaal. Three or four other Indians who had come in relying on Mr. Bhayat's case have also got their permits. One cannot say what will happen to the other Indians with old registers who are still outside the Colony. It is possible that the delay which was there before will not occur now.

Heavy Sentence on Minor Child

A permit case against Mr. Hafeji Moosa of Potchefstroom and his eleven-year-old son, Mahomed, was heard at Volksrust on September 15. The charge against Mr. Moosa was that he had secured the entry of his son with a false permit, and the charge against his son was that he had entered the Colony with such a permit.

In his evidence, the constable who had examined the father and son could not say that he had seen the son. But it was established in the evidence that the son's thumb-impressions had been taken. The magistrate found the father not guilty, and sentenced the son to a fine of £50 or three months' simple imprisonment. Such a heavy penalty on a mere child is dreadful. Had the magistrate looked into the matter more thoughtfully, he would have seen that a mere boy could not be given such a sentence. An appeal has been preferred to the Supreme Court, and, it is expected, the boy will be let off.

Mr. Quinn and the Indians

Mr. Quinn, the Mayor of Johannesburg and Chairman of the Chamber of Trade, says in his monthly report that the passing of the Asiatic Ordinance is a proper step. According to him the unauthorised influx of Indians into the Transvaal justifies the Ordinance. It is not possible for the Europeans to compete with the Asiatics in [lowering] living standards. If it is thought that the law is strict, the fault was that of the Asiatics themselves. Referring to what Mr. Niven had said about the case of Punia[1], viz., that it could not be the view of the Chamber of Trade that women should be subjected to such hardships, Mr. Quinn said that it was their own fault, since they entered the Colony though they knew they would not be allowed in without a permit.

[From Gujarati]

Indian Opinion, 29-9-1906

[1] *Vide* "Difficulties of Indian Women in the Transvaal", p. 438.

70. THE TRANSVAAL ORDINANCE

Assent of Imperial Government: Deputation Postponed

The saying, "Man proposes and God disposes",[1] has proved true in the case of the Transvaal Indians.

Lord Elgin's Reply

The deputation which was to proceed to England to represent our grievances [to the authorities there] was scheduled to sail on Monday, October 1; but owing to some obstacle, its departure has been postponed by a week. Just as arrangements were being made for booking the passages of delegates by steamer and letters were despatched to all the places to say that the deputation would leave on Monday, a communication[2] was received from Lord Selborne on Tuesday morning. It said :

> Lord Elgin desires Lord Selborne to inform you that though the former is aware that the new legislation does not effect all the improvements in the condition of the Indians which His Majesty's Government would desire, he has approved it as removing some of the hardships to which Asiatics are subject and goes as far as is possible on the eve of responsible government. Lord Elgin adds that, while delegates from the Transvaal, if sent, will be given every opportunity for stating their views, he does not consider that any useful purpose is likely to be served by sending the deputation.

Meaning of the Letter

The implication of the letter is that Lord Elgin asks us not to send a deputation. It is obvious that there is nothing to be gained by the deputation going to England after the Ordinance has been passed. The other implication is that, since the Indian community has made a show of strength and has resolved to oppose the Ordinance, it should be suppressed. This is the way of the British: to look at accretions of strength with a stern eye and to dash them to the ground. Lord Selborne must have advised Lord Elgin that, if the deputation went to England and if he received it, the Indian community would be led to entertain hopes of the Ordinance being dropped and that the community would meanwhile go on gathering strength. It would therefore be advisable to nip in the bud their growing strength. Acting presumably on such advice, Lord Elgin has approved the Ordinance without listening to what the deputation has to say.

This has ever been the way of the British with a subject people. They have succeeded in it for the most part, since a conquered and subdued people is brave only in words, and shrinks back at the time of action.

[1] The saying in Gujarati literally means, 'Tasks begun by us remain unfinished; only God's will will be done.'

[2] The letter was dated September 24, 1906. This as well as the translation of Lord Selborne's letter on p. 457 has been collated with the English texts of the relevant letters.

Our Duty

Let us consider what the duty of the Indian community now is. Our resolve to resist the Ordinance can give strength; it can also take it away. If the Indian community firmly adheres to the Resolution, not only will it rise in the esteem of the people in the Transvaal and put an end to its many troubles, but the beneficent effect will be seen all over South Africa, and hundreds of men in the land of our birth will gain from it. If, on the other hand, the Resolution were not acted upon, those who took the pledge would lose face; the whole community would be disgraced; our petitions would in future carry no weight and our plight would become worse than at present. The whites would moreover laugh at us. They would spit upon us, spurn us and call us cowards. Never shall we be regarded as a united people.

No Achievement without Adventure

Such risk is always there in great undertakings. In trade entailing great risks, if there is profit, it is immense, and if there is loss, it reduces one to utter poverty. As our poets[1] have said, it was through adventure that Alexander became an Emperor; it was through adventure that Columbus discovered America; nothing is achieved without adventure. Themselves an adventurous people, the British admire only those who are adventurous. It is therefore the clear duty of every Indian not to take out [a register] again, but to go to gaol and stand firm on the pledge taken at the Empire Theatre.

Second Letter from Lord Selborne

Another letter has been received from Lord Selborne, which gives added force to our advice. The earlier letter which we have already cited in translation was written by Lord Selborne on behalf of Lord Elgin. Let us now see what His Excellency has to say for himself:

> From the argument which your Association puts forward, it seems that you have not grasped the real significance of the new law, which merely provides for the verification of existing documents . . . and for the substitution of more complete, authentic documents such as will relieve Asiatics from the inconveniences to which they are liable under the present system. If there is to be a system of registration, which will fulfil its purpose and prevent a general influx of Asiatics into the country, pending the establishment of responsible government, it must be complete and thorough.
>
> With regard to the definition of Asiatics and the position of pre-war Indian residents, the Ordinance does not disturb the existing conditions. The provision for exemption from the liquor law had no special reference to British Indians. It is intended to apply to individual Asiatics in respect of whom the present provisions of the law are an anomaly. The Ordinance will apply to males only.
>
> Lord Selborne cannot agree that the Draft Ordinance will be an act of serious wanton injustice directed against the Indian community or that it is in conflict with the views expressed by His Excellency from time to time.

[1] The reference is to Narmadashanker, a Gujarati poet.

This reply shows that Lord Selborne has not taken the trouble to acquaint himself with the Ordinance thoroughly or to understand the present situation. Where there is so much ignorance, our duty can only be this : to act up to the Fourth Resolution about gaol-going. The Government will then immediately see that, unless there were genuine difficulties, a thousand men would not court imprisonment.

Need for Funds

But just as it is necessary to go to gaol, it is also necessary to raise a fund. The expenses now will be greater than if the deputation had gone to England. Without money it will be impossible to do things like sending telegrams about men sentenced to imprisonment, and providing for their families when they are in gaol. Moreover, it cannot be said that the struggle will be over in a couple of days. Money is therefore absolutely necessary. It has been shown earlier how our people lag behind in such matters. It is absolutely essential for us to remain thoroughly vigilant and wholly united.[1]

[From Gujarati]

Indian Opinion, 29-9-1906

471. TELEGRAM TO TRANSVAAL GOVERNOR[2]

[Johannesburg,
September 30, 1906][3]

BRITISH INDIAN ASSOCIATION REGRETS LORD ELGIN'S APPROVAL OF ASIATIC ORDINANCE. IN ITS HUMBLE OPINION APPROVAL DUE TO MISUNDERSTANDING OF ORDINANCE. ASSOCIATION DOES NOT CONSIDER ANY RELIEF BEING GRANTED INDIAN COMMUNITY. ASSOCIATION HAS THEREFORE WITH GREAT DEFERENCE DECIDED TO SEND MESSRS GANDHI AND ALLY AS DEPUTATION TO LAY BEFORE IMPERIAL GOVERNMENT

[1] The following was added to the article above by the Editor, *Indian Opinion:*

STOP PRESS NEWS

"It will be seen from the foregoing that now there is no need for the Deputation to be sent. But the latest cablegram we have received says that the assent of the Imperial Government to the Ordinance has not been given and that it will take about five weeks to get it. A perusal of letters cited above shows that there has been some confusion in interpreting them. More clarification is likely to be available next week."

[2] This was forwarded to the Secretary of State for the Colonies on October 2 by the Transvaal Governor at the request of the British Indian Association.

[3] The Deputation left for Cape Town on October 1, on its way to England. This telegram, evidently, was sent a day before. The deputation carried the following credentials from the British Indian Association : "This is to certify that M. K. Gandhi, Esq., Honorary Secretary of the British Indian Association and Haji Ojer Ally, Esq., President of the Hamidiya Islamic Society, have been elected delegates to proceed to London, and submit to the Imperial Authorities the Indian view of the Asiatic Law Amendment Ordinance, as also to interview friends in England of British Indians in South Africa."

INDIANS' VIEW OF ORDINANCE AND PRAYS THAT ROYAL SANCTION WITHHELD PENDING HEARING BEING GRANTED.[1] DEPUTATION PROCEEDING BY NEXT MAIL.

BIAS

Pretoria Archives : L. G. File No. 93 : Asiatics

472. SPEECH AT FAREWELL MEETING[2]

A meeting of the British Indian Association was held to bid farewell to the members of the deputation proceeding to London. The following is a brief summary of Gandhiji's reply to the speech of the Chairman, Abdul Gani.

JOHANNESBURG,
September 30, 1906

Mr. Gandhi pointed out that he was only going in view of the solemn promises of the leaders and their followers under no circumstances to comply with the requirements of the new Ordinance.

Indian Opinion, 6-10-1906

473. HAJI OJEER ALLY[3]

Mr. Haji Ojeer Ally was born on the 23rd November, 1853, in the island of Mauritius, and received his education at the Government schools there. In 1864, he started work as a printer at the Commercial Gazette Offices, and in 1868, he was employed as wharf-clerk with Messrs P. Adam & Co. He was for some time assistant shipping clerk with Messrs Joshua Bros. and, later, was also shipping clerk to another firm. In 1883, as behoves every good Mahomedan, he visited Mecca and became a Haji. He came to South Africa in 1884, landing at Cape Town, where he commenced business on his own account as a mineral water manufacturer.

[1] It became known later that the approval had reference only to the proposal to introduce such an ordinance but the Ordinance itself was yet to receive Royal assent.

[2] This is an extract from "Johannesburg Jottings" by the Transvaal Representative (Mr. Polak) of *Indian Opinion*. Tendulkar quotes another speech in his *Mahatma*: "We shall of course try our best, but there is little chance of our prayer being granted. We, therefore, must mainly rely upon the Fourth Resolution. We shall explain our case to all our friends in England. You too will do your duty by not submitting to registration. Money must be collected to carry on the movement and what is more important still, the Hindus and Muslims must be absolutely united." (p. 96, Vol. I; Jhaveri and Tendulkar, Bombay, August 1951). Neither the source nor the date of this speech has been found. It is not clear whether this is from another speech made at the second of the two farewell meetings held at the Hamidiya Society Hall. Or it may be from the same British Indian Association speech reproduced above.

[3] This is part of an article published under the title "The Personnel of the Deputation: Biographical Sketches", which included a similar sketch on Gandhiji; the latter is not reproduced here. *Vide* also "Johannesburg Letter", pp. 445-7.

Ever since that time he has taken an active part in the politics of the country and endeavoured to ameliorate the condition of the Coloured people, more especially his co-religionists, the Malays and his fellow-countrymen, the British Indians. He helped to quell a Malay disturbance that took place by reason of the Cape Government having fixed a Malay cemetery very far away from the town, and it was mainly through his efforts that a site was ultimately selected which satisfied the Malay community.

During his stay in Cape Town, Mr. Ally was both a parliamentary and municipal voter. In 1892, he was elected Chairman of the Coloured Peoples' Organization, and took a leading part in connection with the Franchise Law Amendment. A petition signed by 22,000 Coloured people was promoted and sent to London. Later, Mr. Ally migrated to Johannesburg, where, too, he has been taking an active part with reference to the position of British Indians in the Transvaal. Before the war, he interviewed the prominent Boer officials, as also the British Agents, and did a great deal to secure relief.

Mr. Ally is the founder and President of the Hamidiya Islamic Society, which has been doing excellent and useful work among the Mahomedans of Johannesburg, and which was chiefly instrumental in organising the Mass Meeting at the Empire Theatre. The Society is in a flourishing condition, and has a membership of several hundred Mahomedans.

Mr. Ally, although not a finished speaker, has a very good command of the English language, has a fine voice, and is often very eloquent. He is married to a Malay lady and is the father of eleven children. He holds liberal views regarding female education and has been endeavouring, in spite of the handicap of colour, to give a good education to his daughters.

Indian Opinion, 6-10-1906

474. DIVINE WRATH ON HONG KONG

While the news of how a beautiful city like San Francisco was suddenly reduced to dust and thousands of men were buried alive in a trice is still green in our memory, a similar earthquake has occurred in Chile and lakhs of people in Valparaiso and other places have been rendered homeless and obliged to wander about without food. Hardly is that woeful tale over when there comes a cry from Asia that its children are no less unfortunate than those of America. Last week there appeared the news of a cyclone in the sea near Hong Kong to the south of China. Several ships and steamers were driven ashore and some completely wrecked. Small craft and fishing-boats sank and thousands of precious lives were lost. As the sea rushed into the harbour, rivers began to flow through the city streets and the people in distress struggled hard to save themselves by means of boats. It is said that about fifty

steamers and ships were engulfed in the storm. Traces have been found of only a few of the 600 fishing-boats that were out on a cruise. At least 10,000 men lost their lives. All this happened within a couple of hours. Thoughtful persons will be grieved to know this. Stories told in text books of God making or unmaking a universe in a moment, we now see enacted before our very eyes. Inscrutable are the ways of God. Man has always some lesson to learn from His dispensations. While such an event is fresh in the mind, the virtuous have promptings from their inner selves, "Good man, take to the true path. We know not when Death will overtake us. Do good deeds then and make provision for your journey hence." The same event warns the erring : "You fool, cast off your pride and walk in fear of God. For Death might swallow you in no time."

[From Gujarati]

Indian Opinion, 6-10-1906

475. THE DUTY OF TRANSVAAL INDIANS

Since we give elsewhere a full account of the Transvaal situation, it is needless for us to say anything more about it here. The present time is so critical that even Indians outside the Transvaal have become alarmed. All of them feel that the step taken by the Indians in the Transvaal is very difficult and arduous. It will justify itself only if it succeeds. The Resolution passed by Indians is, and at the same time is not, unique. We consider it unique, because nowhere else in the world have Indians so far resolved, as they have done now, to go to gaol rather than submit to a law. On the other hand, we do not consider it unique because a number of similar instances are found [in history]. When we are dissatisfied with anything, we often resort to *hartal*. In India we often consider it our duty to do so, in order to obtain redress of our grievances, particularly in the Native States. The *hartal* only means that we do not approve of a certain measure taken by the ruler. This tradition of resisting a law has been in vogue among us from very early days, when the English people were in a barbarous state. Thus, really speaking, the Resolution passed by the Transvaal Indians is nothing extraordinary and there is no reason why we should feel nervous.

Moreover, such examples are to be found even in South Africa. When President Kruger proposed to remove the Indians from the Malay Location and send them to the Tobianski Farm, Mr. Emrys Evans, the British Agent, gave Indians the specific advice that they should on no account submit to President Kruger's order. Hence, despite police investigations and detectives entering their homes, the people remained firm, and they won.

When there were difficulties about licences, the Indians carried on their business in the towns fearlessly without licences, did not bow to the

Boer Government, and succeeded. That Government tried hard to send us to the Locations, but failed.

Subsequent to the war too, instances are found. When Lord Milner brandished the sword of the Bazaar Notice against the Indians, the people for once were scared, but later they thought over the matter and finally decided not to go to the Location. The summons that had already been issued at Potchefstroom had to be withdrawn. The Indian people refused to accept the passes bearing their photographs that Mr. Moore had issued, and the Regulation had to be withdrawn.

We can easily find such examples among other communities too. The Pass Law applies to Hottentots, but they oppose it and do not take out passes and the Government is powerless to do anything. A house tax is levied on the Kaffirs of Natal; but some of the Zulu tribes do not pay the tax at all. It is an open secret that the Government does not collect the tax from them.

All these instances show that there is no cause for us to be afraid at all. However, there is some difference between the instances quoted above and the Resolution of the Indian community. In all these instances no community as a whole had passed any resolution. Further, though the people chose not to submit to the laws in question, they had not decided on how to meet the consequences and bring the issue to a final conclusion. For example, when the Hottentots are arrested for not taking out passes, some of them pay the fine and some go to gaol. The Transvaal Indians are determined to go to gaol rather than take out a new Register. Two other alternatives are open to them — either to pay the fine or to leave the Colony. After giving serious thought to both, the Indian community has discarded them. And herein lie its uniqueness, its beauty and its strength. If we pay the fine, it will be just the thing the Government wants. If we leave the Colony, the whites will rejoice, clap their hands and wave their flags. We will do neither of these things, for it would be ignominious and cowardly to do either. Going to gaol is a unique step, a sacred act, and only by doing so can the Indian community maintain its honour. What does it matter if, in doing so, we lose our trade? If a fire destroys their houses and goods, traders accept it calmly and, being courageous, start their business afresh and earn their livelihood. No one who has hands and feet and possesses ability and intelligence has need, at any rate in this country, to starve. What if a hundred or more lose their all and become paupers in serving the community or the country? The English honour only those who make such sacrifice. Their shining glory has spread just because great heroes have been and are still born among them. Such were Wat Tyler, John Hampden, John Bunyan and others. They laid the foundations of England's political supremacy. Who they were and what they did we shall tell some other time.[1] But we shall continue to be in our present abject condition till we follow their example. The Indian community has a good oppor-

[1] *Vide* "Tyler, Hampden and Bunyan", pp. 476-7.

tunity today of proving its mettle. We hope that it will not let it slip, but will rush to the field, plunge in whole-heartedly and fight to the last. There was a time in India when the mother refused to look at the face of a son who returned vanquished from the battle-field. We pray to God that every Indian in the Transvaal will remember that time.

[From Gujarati]

Indian Opinion, 6-10-1906

476. CABLE TO SECRETARY OF STATE FOR COLONIES[1]

JOHANNESBURG,
October 8, 1906

BRITISH INDIAN ASSOCIATION HAS READ WITH REGRET VREDEDORP STANDS ORDINANCE PUBLISHED IN GOVERNMENT GAZETTE. RESTRICTIONS AS TO TRANSFER LEASES TO AND RESIDENCE OF ASIATICS VREDEDORP UNJUST. REQUEST STAY ROYAL SANCTION PENDING RECEIPT ASSOCIATION'S PROTEST.

Colonial Office Records : 291, Vol. 103

477. PETITION TO LORD ELGIN[2]

JOHANNESBURG,
October 8, 1906[3]

TO
HIS EXCELLENCY THE RIGHT HONOURABLE THE EARL OF ELGIN
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE COLONIES
LONDON

The Petition of Abdul Ganie, in his capacity as Chairman of the British Indian Association of the Transvaal, Humbly Sheweth :

That the British Indian Association of the Transvaal respectfully approaches Your Lordship with reference to the Vrededorp Stands Ordinance of 1906 published in the Transvaal *Government Gazette* dated the 28th September.

(2) The Ordinance, your Petitioner notices, is not to take effect "unless and until the Governor shall proclaim in the *Gazette* that it is His Majesty's pleasure not to disallow the same".

[1] This was sent to the Transvaal Governor who cabled it to the Secretary of State for the Colonies at the request of the British Indian Association. The cable was presumably drafted by Gandhiji after the publication of the Vrededorp Stands Ordinance in the *Government Gazette* on September 28, before his departure for England on October 1. It was perhaps despatched by the British Indian Association later.

[2] This was also published in *Indian Opinion*, 13-10-1906 and *India*, 2-11-1906.

[3] Though this was submitted a week after Gandhiji's departure for England, it is probable that, before he left, Gandhiji drafted this petition on an issue of vital concern to the Indians.

Your petitioner, therefore, ventured to send Your Lordship a cable[1] requesting that the Royal pleasure may not be declared until the Association had the opportunity of making its submission to Your Lordship.

(3) The Association respectfully protests against sections 5, 8 and 9 of the second schedule to the Ordinance above named.

(4) The sections in question are as follows :

> 5. This lease shall not be transferable to any coloured person and if registered in the name of any such person this lease shall *ipso facto* cease and determine.
>
> 8. Neither the said stand nor any part thereof nor any building thereon shall be sub-let to any coloured person or Asiatic. Upon any breach of this condition the Council may forthwith by notice in writing given in the manner provided in Clause Four terminate this lease.
>
> 9. The Lessee shall not permit any coloured person or Asiatic other than the servant *bona fide* of some white person for the time being residing on the said stand to reside thereon or to occupy the same or any part thereof. If any coloured person or Asiatic other than such servant as aforesaid is at any time found residing on the said stand or occupying the same or any part thereof the Council may give notice to the Lessee in the manner provided in Clause Four requiring him to cause such person to cease to reside thereon or to occupy the same or any part thereof within a period of three weeks from the date of such notice and if at any time after the expiration of such period such person shall be found residing thereon or occupying the same or any part thereof, the Council may forthwith by notice to the Lessee given in the manner aforesaid terminate this lease.

(5) Thus, in effect, the Ordinance prohibits the residence of British Indians except as domestic servants.

(6) Such prohibition will create a fresh disability against British Indians.

(7) In the humble opinion of the Association, there is no justification for the contemplated restriction.

(8) The Association, moreover, draws Your Lordship's attention to the fact that British Indians have, for years past, held stands within the area affected by the Ordinance, from the original grantees — the burghers of Vrededorp.

(9) Some British Indians have erected substantial structures on such stands, and some are at present either residing on the stands leased by them or carrying on trade.

(10) If the clauses objected to are sanctioned, all such persons as are hereinbefore referred to and have acquired vested rights will be adversely affected and some of them ruined in business.

(11) The Association ventures to point out that, when the Vrededorp Commission sat some time ago to report upon the Draft Ordinance, objection to any such clauses as are before referred to was submitted to the Commission on behalf of British Indians.

(12) The Association draws Your Lordship's attention to the further

[1] *Vide* the preceding item.

fact that the area affected by the Ordinance is contiguous to the Malay Location, which contains a large Asiatic, and principally British Indian, population. The relations between the inhabitants of Vrededorp and the Malay Location have always been satisfactory.

(13) The Association feels that, if the clauses referred to are approved by Your Lordship, the acceptance will form a precedent for other bodies, and may lead to the ultimate reduction of British Indians to the status of menials and their compulsory removal to Locations.

(14) Your petitioner, therefore, humbly prays that the Ordinance in question will be disallowed, or such other relief will be granted as to Your Lordship may seem meet.

And for this act of justice and mercy your petitioner shall for ever pray, etc., etc.

Dated at Johannesburg this 8th day of October, 1906.

ABDOOL GANIE
CHAIRMAN,
BRITISH INDIAN ASSOCIATION

From a photostat of the office copy : S. N. 4384

478. THE DEPUTATION'S VOYAGE—I

[s. s. *ARMADALE CASTLE*,
Before *October 11, 1906*]

Readers of *Indian Opinion* are aware of the election of the deputation to England with regard to the new Asiatic Ordinance and of the difficulties experienced in that connection. From the very beginning the people had decided that the deputation should consist of three men, viz., Messrs Abdul Gani, Ally and Gandhi; but at the last moment Mr. Abdul Gani withdrew and Messrs Ally and Gandhi had to go without him.

INITIAL DIFFICULTY

On Friday, September 28, a definite resolution was passed that the two members mentioned above should go. It was decided that they should sail by the s.s. *Armadale Castle*, and their passages were booked on Saturday, September 29. The delegates were to leave by the Cape Mail on Monday, October 1, and the tickets for that train were also purchased; but an hour later word was received from the Station Master that the deputation could not go by the Cape Mail, but only by the train leaving at 9 p.m. This meant that the deputation, being thus unable to travel by the Cape Mail, would miss the *Armadale Castle* and hence be delayed by a week. Mr. Gandhi immediately spoke to the General Manager over the 'phone and explained to him how necessary it was for them to leave by the Cape Mail. The General Manager could not understand the Station Master's objection and told Mr. Gandhi that he would make inquiries and then telephone the result to him. After an hour, a message was received saying

that the Station Master had made a mistake and that there would be no difficulty in the deputation travelling by the Cape Mail.

On the Train

The deputation boarded the train at 6-15 p.m. Certain persons, as previously decided, had come to the station to see the deputation off. They were Messrs Abdul Gani, Essop Mian, Coovadia, Omarji, Shahbuddin, Fancy, Bhikhubhai and others. Mr. Bhikhubhai had brought a coconut[1] and other things. The members of the deputation shook hands with everyone before taking leave.

Mr. Haji Ojer Ally's Health

Mr. Haji Ojer Ally was feeling exhausted owing to over-work during many days and he was ill and restless. He has rheumatism and, even when the deputation was being discussed, he was afraid of being troubled by it on the way. The fear came true on the train itself. Pain started in the joints. I pressed and massaged his joints and did whatever I could. But that gave no lasting relief. Mr. Ally took the food he had brought with him and also some coffee. He had no appetite for anything else. I went to the Saloon for meals, and took boiled potatoes and peas with bread. I also took the fruit and nuts Mr. Bhikhubhai had given us. I then did my writing. Mr. Ally went to bed at ten. I retired at midnight after finishing my writing work. Mr. Ally spent a restless night. When he got up on Tuesday morning, he had a very severe pain, also slight fever and bronchitis.

Arrangements on the Cape Mail

Amenities on the Cape Mail are almost the same as on a steamer. Food is served from the morning onwards. There is provision even for bathing. The passengers can have a shower-bath. Only first-class passengers can travel by this train.

In Cape Town

The train reached Cape Town at two o'clock on Wednesday. Messrs Yusuf Hamid Gool, Amod Gool, Lachhiram and Abdul Kadar had come to the station to receive us. Mr. Yusuf Hamid Gool had arranged for our meal at his place. We took it and left at 4-45. All these gentlemen also came to the steamer to see us off.

"The Armadale Castle"

This steamer is one of the biggest among those belonging to the Union Castle Line. Its tonnage is 12,973 and its horse-power 12,500. It is 590′ 6″ long, 64′ 6″ broad and 42′ 3″ high. It has accommodation for 320 first-class, 225 second-class and 280 third-class passengers. For each of the classes there is a very large and beautiful dining-hall. It has excellent

[1] The coconut is an auspicious symbol.

arrangements for ventilation. There are books to read and a separate reading-room for each class. The bathing arrangements are very good; and one can have as much hot and cold water as one wants. The lavatories are kept very clean, and there is a notice saying that passengers should not leave the seat dirty. The first and the second classes have four sections each. We hold first-class tickets for the third section and had each to pay £79–15–0.

Catering Arrangements

Catering arrangements in these steamers are such that it would appear that the passengers had nothing to do but eat the whole day. At six in the morning, the bearer brings coffee, bread and fruit. At 8-30 one has breakfast in the Saloon, and some ten different items are served. At eleven tea and biscuits are served on deck. Again at 1 p.m. lunch begins to be served in the Saloon; this again has ten to fifteen items. At four in the afternoon again, tea, biscuits, bread, etc.; at six o'clock dinner in the Saloon and at nine or later, tea, coffee, biscuits, cheese, etc., as the passengers choose. All this is covered by the steamer fare. In addition, the passengers can have wine, etc. between meals or at meal time for which they have of course to pay. One seldom comes across passengers who do not take alcoholic drinks.

Passengers

Among fellow-passengers, there are three well-known men who must be mentioned. One is the Acting Lieutenant-Governor of the Transvaal, Sir Richard Solomon, accompanied by Lady Solomon. He is going especially to see Lord Elgin. Another is Sir David Gill, the famous astronomer of South Africa, and the third is Sir John Buchanan, a Judge of the Cape Supreme Court. Lord Wolmer is also with us.

In the next instalment, I shall describe Mr. Ally's state of health, the way Mr. Ally and I spend our time, and the arrangements we have made for our meals. Meanwhile, lest anyone should be anxious, I may say here straightaway that Mr. Ally's health has improved and, as I write this, he is enjoying himself on the deck.

[From Gujarati]

Indian Opinion, 10-11-1906

479. *THE DEPUTATION'S VOYAGE — II*

[s. s. *ARMADALE CASTLE*
October 11, 1906]

WHAT DID WE DO ?

I said in my first article that Mr. Ally's health had not improved when we boarded the steamer. He was obliged to stay in bed. For two days he took the pills he had brought with him and got me to rub in soap liniment. This seemed to result in some improvement, but the pain did not stop altogether. On the third day, the doctor was consulted, and he gave him Phenacetin, a medicine inducing perspiration. That loosened the joints, and on the fourth day, Mr. Ally could leave his bed, but he was not yet completely cured. I then recommended to him Dr. Kuhne's treatment. Accordingly, Mr. Ally now takes hot and cold baths and does without the morning meal. Formerly he used to have coffee on getting up, and porridge, coffee and fruit at breakfast. He has stopped all this, now has his first meal at 1 p.m. and has given up all medicines. It is now (October 11) three days since he began this treatment. As a result, Mr. Ally feels better. He is hungry at 1 p.m., and constipation and indigestion do not trouble him now. He does not even smoke till 1 p.m. And though his health cannot yet be said to have returned to normal, his rheumatism is certainly under control; and he has little difficulty in moving his limbs. His food is simple. At one, he takes fish and potatoes, pudding and coffee, and ginger ale. He has a cup of tea at four in the afternoon and at 6-30 p.m., fish, green vegetables, ginger ale, pudding and coffee. He does not seem to feel the need for anything more. If the reader is curious to know what I eat, I may say that, for three days, I had three meals a day. But finding these unnecessary, I now take milk, bread, potatoes, soda water or ginger ale, stewed fruit and cream at 1 p.m., cocoa at four and potatoes, boiled vegetables, stewed fruit and soda water or ginger ale at 6-30 in the evening. I do not eat bread, raw fruit and nuts for the only reason that a loose molar has been hurting me. I feel quite satisfied with this diet and can do a lot of work. The main reason for this is, I think, that the stomach has rest till 1 p.m. and finds this food satisfying and sufficient. Some of these items are outside my usual menu. Yet the fact that I keep fit shows that food, on an empty stomach, never does harm.

Mr. Ally is reading Justice Amir Ali's *Spirit of Islam* and Washington Irving's *Mahomet and His Successors*. I am studying Tamil, and reading Forbes's *Rasamala or A History of Gujarat*, and the *Alien Immigration Report*. Now that Madeira is approaching, I have started writing my despatch for the *Opinion*. We have very little contact with other passengers. Occasionally a few words are exchanged with Sir Richard Solomon. There

are with us the Chinese Consul, his nine-year-old daughter, and Mr. James of the Chinese Deputation [going to England] in connection with the Asiatic Act. The Chinese Consul wears official uniform. By nature he is sociable, pleasing in his manner and intelligent. Having had a good English education, his daughter enjoys herself and also amuses the passengers who are quite free with her.

General Atmosphere aboard Steamer

Other passengers spend the day in much merriment. Sports have been going on for the last week. Subscriptions were collected for awarding prizes, and we had to part with a guinea each. Among the games are deck cricket, ring tennis, egg-and-spoon race, etc. The sports will be over on the 12th and prizes distributed on the 14th. At night the passengers dance, and the band plays twice a day. Even Sir Richard Solomon takes part in the sports. The chief reason why we have not been able to participate in them is Mr. Ally's poor health and my own studies. There are no sports on Sundays. There is a "Church" gathering in the Saloon where prayers are offered according to Christian custom.

Thoughts Arising from This

When I see all this I often ask myself why it is that the English rule. I am reminded of a poem by the Gujarati poet Narmadashanker[1] :

The Englishman rules,
The country is under his heel,
The native remains subdued;
Look at their bodies, brother,
He is full five cubits tall,
A host in himself, match for five hundred.

As I observe all this, I find that the Englishman is not only full five cubits tall, a host in himself, match for five hundred but is capable in every other way. When he chooses to enjoy wealth and power, he excels in doing it and he makes the best of poverty, too. He alone knows how to give orders; and he knows too how to take them. In his behaviour he is great with the great and small with the small. He knows how to earn money and he alone knows how to spend it. He knows how to converse and move in company. He lives in the knowledge that his happiness depends on the happiness of others. The [English]man I observed during the war seems to be an altogether different person now. Then he did all his work himself, trekked over long distances and felt happy with dry bread. Here on board the ship he does not do any work. He presses a button, and an attendant stands before him. He must have nice dishes of all kinds to eat. Every day he puts on a new dress. All this becomes him, but he does not lose his balance. Like the sea, he can contain all within himself. Though, generally speaking, he has little sense of religion, yet

[1] A late nineteenth century Gujarati poet whom Gandhiji often quotes

living in society, he is disciplined and observes sabbath. Why indeed should such a people not rule?

The steamer is as big as a small town. There must be about a thousand persons on board, but there is no noise, no disorder. Everyone is absorbed in his or her own work. Only the waves make music and remind us of their ceaseless motion. More in my third instalment.

[From Gujarati]

Indian Opinion, 17-11-1906

480. A WORD ABOUT THE NEW MUNICIPAL ORDINANCE

We publish elsewhere in this issue the Regulations giving certain powers to the Johannesburg Municipality. There is nothing to be said against the Regulations. They apply to all and can be considered necessary to maintain the health of the larger part of the city and for other similar reasons. In regard to many of them, we have got to struggle against ourselves. If we do not keep our compounds clean and have to suffer in consequence, we cannot find fault with others. It can be clearly seen from the Regulations that, if we do not observe the rules of cleanliness, we shall have to face many difficulties. If we do not take precautions, we shall have to suffer the consequences of our own doings. Our licences will be taken away, and we shall be left repenting and helpless. One who is surrounded by enemies has to be very vigilant. As the local phrase has it, he has to live in a laager. Such is our condition. In cleanliness and other matters we have to compete with the whites. That stage has not yet come. But if we wake up from our slumber, give up our indolence, shed some of our greed and persist in our efforts, we can in no time drive away the evil of uncleanliness from our midst. We have been perpetually tormented by the malignant tumour of uncleanliness which eats into our vitals. Just as when a tumour is opened, we feel pain at first, but relief later, so the tumour of uncleanliness must be opened. That should be the work of the Hamidiya, Hindu and other Societies, not only in the Transvaal, but in the other places as well. Will they wake up?

[From Gujarati]

Indian Opinion, 13-10-1906

481. CONFLAGRATION ALL ROUND

A lot of discussion is nowadays going on about the Asiatic question among public bodies in South Africa. In such discussions, Indians are held up to blame on the slightest pretext. Among the fault-finders, the foremost are the Chambers of Commerce. At a meeting of the Chambers of Commerce held in Delagoa Bay, a suggestion was made that Indians should be removed to a Location. We have referred to this matter earlier.

Recently[1] a meeting of the Chamber of Commerce took place at Maritzburg, at which opinions about Indian traders were expressed. In his address the Chairman said that there had been an increase in the number of Coloured traders and a decrease in that of white traders. In saying this, the Chairman, Mr. Griffin, does not seem to have bothered about the correctness of his figures. Before asserting that the increase in the number of Indian traders was alarming, he should have offered precise proof of the increase. Mr. Griffin further stated that in the rural areas Indians were so well established that they could send a representative of their own to the [local] board. This statement, too, is as baseless as the earlier one. But supposing it is true, what is wrong about it? Do not the Indian traders contribute to the prosperity of the country? They require protection quite as much as the European traders. In the course of his speech, Mr. Griffin also blurted out that the Shops [Early Closing] Act had proved to be a weapon for crushing the Indians with. Such talk betrays the fact that the Act is aimed at Indians only. But the funny part of it is that, though the law was made to crush the Indians, the whites say that the Indians flourish in spite of it. If this is true, there must be some innate merit in the Indian. What then is to be gained by wasting time in finding fault with the Indian instead of learning from him?

[From Gujarati]
Indian Opinion, 13-10-1906

482. LETTER TO RAMDAS GANDHI[2]

[S. S. *ARMADALE CASTLE*,
Before *October 20, 1906*]

CHI. RAMDAS,

I must now get your letters.

MOHANDAS

RAMDAS GANDHI
Indian Opinion
PHŒNIX, NATAL

From the Gujarati original in Gandhiji's hand: Courtesy : Shrimati Sushilabehn Gandhi.

[1] On October 2, 1906
[2] See photograph facing p. 472.

483. THE DEPUTATION'S VOYAGE — III

[s. s. *ARMADALE CASTLE*,
Before *October 20, 1906*]

More Reflections

Writing about the voyage, we have reflected why the English prosper. I am aware that, as every shield has two sides, so has the Englishman's way of life. It should not be our business to examine the reverse side. Just as a swan, as the saying goes, separates milk from water and drinks only the former, so must we learn to recognize our rulers' virtues, which alone we should follow. Continuing this train of thought, we noticed that people on the boat did not merely enjoy themselves all day long. Those who had work to do did it as if it was the most natural thing to do, without fuss. On this steamer there are passengers who are always reading. They read not for pleasure, but because it is necessary. As soon as their reading is over, they join others in sport and merriment. The crew discharge their duties punctually to the minute. Looking at the vanities around them, they do not forget their station in life. Envying none, they remain absorbed in their work. We Indians, too, behave in much the same way, and in certain respects excel them. But if we take an overall view, the balance-sheet will show more to the Englishman's credit. We do not possess the ability to build steamers like the one we are sailing in. Even if we can build one, we have not the ability to operate it. We cannot match their record in public sanitation. We rarely present the spectacle of a number of men working together without noise. Their mode of life is such that they can save much time, and in the modern age to save time is to gain money. On the steamer there is a printing press. Programmes and menus are printed every day. Typewriters are used for routine work. Most of the cooking is done with machines. Thus, cleanliness is maintained and time saved. All this is necessary for the way they wish to live and do live. Viewing things in this manner we should conclude, without looking at their faults or envying them, that they deserve all they have, and for the most part it is necessary to behave as they do. This is not the place to consider how we can set about doing this. Here I have put my thoughts before the reader as they occurred to me during the voyage.

Steamer's Speed and the Weather

A steamer belonging to this Line generally travels fast. On an average we cover about 370 miles a day. The weather was cold during the first four days, but as we proceeded it began to warm up. At present we are near the Equator, and it is very hot; in these parts this heat is normal. It will continue to be hot for another five or six days. We do not feel this extreme



FROM S.S. "ARMADALE CASTLE"

heat because of the many cooling devices on the steamer. In portholes there are arrangements to let in air so that it remains cool throughout the night. Changes are also made in the food to suit passengers' tastes. Every passenger is provided with a fan.

A Talk with Sir Richard Solomon

We had a talk with Sir Richard Solomon as we were approaching Madeira. After we had discussed the whole question he said that he would consider the idea of appointing a Commission at some future date. His information was that the Indian community had engaged agents at every port to instruct the immigrants about the geography of the Transvaal and help them to enter, and that many men had entered in this manner. This would mean that the whole Indian community was deceitful and that the new law had been enacted to punish it. The next day, Sir Richard advised Mr. Ally to accept the new Act, which leads one to infer that Sir Richard has given up the idea of appointing a Commission. The reason for this, I think, is that he aspires to be the Prime Minister under Responsible Government, and that his ambition would probably be thwarted if he accepted our plea and appointed a Commission. He would therefore do nothing for us.

[From Gujarati]
Indian Opinion, 24-11-1906

484. SOME QUESTIONS

Many questions have been asked about the new Transvaal Ordinance. We give below the important ones along with their replies.

Questions

1. How is one to disobey the law?
2. What defence can one offer for doing so?
3. May one seek release on bail or not?
4. What is the likely sentence?
5. Will they arrest the hawkers first or the others?
6. How will it affect the traders?
7. What will happen to licences next year?
8. What shall we do if nothing is gained even by going to gaol?
9. And if some take out new Registers?
10. What is the harm in taking out a Register?

Answers

1. Many people believe that all Indians have to appear on January 1 at a Court or at the gate of a gaol and say, "We do not want to take out a Register. Arrest us." Resistance cannot be offered in this way. Even if all people thus present themselves, the Government will not arrest

them. Whether to arrest or not depends on the will of the Government. They definitely want and expect most of the people to take out new Registers before January 1. The Government will be in a fix what to do if, no Indian has, by that date, taken out a Register. It is probable that they might seek the opinion of the leaders. Whether they do so or not, the [British Indian] Association will have to write to them intimating that no one from the community will take out the Register and that, if they intend prosecuting the offender, it will be proper for them to proceed against the leaders. The Government may or may not pay heed to the letter. When one or more men are arrested for not taking out Registers, Mr. Gandhi is bound to defend them, as he has promised. There will be no other defence. He will narrate the history of the matter and plead that the real culprit is not the person not taking out the Register, but that either Mr. Gandhi or the Association must be deemed guilty, for it was on their advice that people refrained from taking them out. Then, Mr. Gandhi may perhaps be arrested for inciting the people, or the arrested persons may be fined or sentenced to short terms of imprisonment. As paying the fine is out of the question, the only alternative will be to go to gaol. Reports of these cases and of others that may be instituted will be cabled to the whole world.

2. There is to be no legal defence other than the one described above. If perchance the Prosecutor commits a mistake in law, advantage may no doubt be taken of it.

3. When we have already passed a resolution to go to gaol, there can be no question of release on bail. No disgrace attaches to this kind of imprisonment.

4. The sentence generally will be either fine or imprisonment in lieu of fine, or both, and further imprisonment in lieu of a fine. In no case is the fine to be paid. No sentence can be passed under which a man can be seized by the arm and turned out. Even after serving his sentence, if a man does not take out a new Register, he is again guilty and therefore the Government can, if it chooses, keep all these persons in gaol for all time.

5. It is not possible to say who will be arrested first.

6. It is not likely that all traders will have to go to gaol. If perchance such a thing should happen, it would be nothing to worry about. In that case, the shop should be closed or may be entrusted to a reliable white. It is hardly likely that the Government will go to these lengths. However, one must not assume that certain things will never happen.

7. According to the new Act, those who do not take out the new Registers are not entitled to licences. If licences are not issued, the fee for them may be tendered and the business continued. Even if prosecuted for trading without a licence, one should not pay the fine, but serve the gaol sentence.

8. Such a question cannot arise. When going to gaol is in itself a gain, further questioning is useless. What could be worse than giving

one's finger-prints and disgracing oneself? How can we do that which we consider disgraceful? Surely, we are not going to commit theft because others do so. When Hampden refused to pay Ship Money, he did not argue in this strain.

9. If some persons take out the new Register, they will lose their good name and earn the contempt of the Indian community.

10. The disadvantage in taking out the new Register is that our condition will thereby become worse than that of the Kaffirs. The question does not arise here whether men without permits gain or lose by taking out or not taking out the Register. By taking out Registers we shall disgrace ourselves. There is as much objection to taking out Registers as to disgracing ourselves. For those who cannot stand a gaol sentence, the better course will be to leave the Transvaal. It is, of course, cowardly to leave the land, but it is even more cowardly to take out a new Register.

[From Gujarati]

Indian Opinion, 20-10-1906

485. A RAY OF HOPE

There have not been two opinions on how far the Resolutions of the mass meeting will produce results. As for Resolutions 3 and 4, what will happen still remains to be seen. Their fruit is a long time away yet; and this depends upon the determination of the Indian community. Nothing but good can come of adhering staunchly to Resolution 4. However, who can say that it has not already begun to have effect? At one time it was thought that Resolution 3, about the sending of the deputation, might be dropped. Recent Press messages show that we did very well in sending the deputation in time. Our Johannesburg Correspondent says that the Secretary of State has sent a cablegram to Lord Selborne asking him to inform the British Indian Association that sanction to the Asiatic Act will not be accorded before the representation of the Indian deputation has been heard. This by itself shows that Resolution 3 has served its purpose. Among the reasons that prompted the Secretary of State to attach weight to Indian protests, the impact of Resolution 4 may be considered to be the primary one. Lord Elgin's cablegram proves the usefulness of Resolution 3 and also shows the impact of Resolution 4. Whether the deputation succeeds or not, this much is established that the Imperial Government has taken some notice of the Transvaal Indians. In these circumstances, the deputation will be able to do really good work. If Resolution 4 has begun to tell in such a short time, can it fail to have effect in England and elsewhere once it is actually put into execution?

[From Gujarati]

Indian Opinion, 20-10-1906

them. Whether to arrest or not depends on the will of the Government. They definitely want and expect most of the people to take out new Registers before January 1. The Government will be in a fix what to do if, no Indian has, by that date, taken out a Register. It is probable that they might seek the opinion of the leaders. Whether they do so or not, the [British Indian] Association will have to write to them intimating that no one from the community will take out the Register and that, if they intend prosecuting the offender, it will be proper for them to proceed against the leaders. The Government may or may not pay heed to the letter. When one or more men are arrested for not taking out Registers, Mr. Gandhi is bound to defend them, as he has promised. There will be no other defence. He will narrate the history of the matter and plead that the real culprit is not the person not taking out the Register, but that either Mr. Gandhi or the Association must be deemed guilty, for it was on their advice that people refrained from taking them out. Then, Mr. Gandhi may perhaps be arrested for inciting the people, or the arrested persons may be fined or sentenced to short terms of imprisonment. As paying the fine is out of the question, the only alternative will be to go to gaol. Reports of these cases and of others that may be instituted will be cabled to the whole world.

2. There is to be no legal defence other than the one described above. If perchance the Prosecutor commits a mistake in law, advantage may no doubt be taken of it.

3. When we have already passed a resolution to go to gaol, there can be no question of release on bail. No disgrace attaches to this kind of imprisonment.

4. The sentence generally will be either fine or imprisonment in lieu of fine, or both, and further imprisonment in lieu of a fine. In no case is the fine to be paid. No sentence can be passed under which a man can be seized by the arm and turned out. Even after serving his sentence, if a man does not take out a new Register, he is again guilty and therefore the Government can, if it chooses, keep all these persons in gaol for all time.

5. It is not possible to say who will be arrested first.

6. It is not likely that all traders will have to go to gaol. If perchance such a thing should happen, it would be nothing to worry about. In that case, the shop should be closed or may be entrusted to a reliable white. It is hardly likely that the Government will go to these lengths. However, one must not assume that certain things will never happen.

7. According to the new Act, those who do not take out the new Registers are not entitled to licences. If licences are not issued, the fee for them may be tendered and the business continued. Even if prosecuted for trading without a licence, one should not pay the fine, but serve the gaol sentence.

8. Such a question cannot arise. When going to gaol is in itself a gain, further questioning is useless. What could be worse than giving

one's finger-prints and disgracing oneself? How can we do that which we consider disgraceful? Surely, we are not going to commit theft because others do so. When Hampden refused to pay Ship Money, he did not argue in this strain.

9. If some persons take out the new Register, they will lose their good name and earn the contempt of the Indian community.

10. The disadvantage in taking out the new Register is that our condition will thereby become worse than that of the Kaffirs. The question does not arise here whether men without permits gain or lose by taking out or not taking out the Register. By taking out Registers we shall disgrace ourselves. There is as much objection to taking out Registers as to disgracing ourselves. For those who cannot stand a gaol sentence, the better course will be to leave the Transvaal. It is, of course, cowardly to leave the land, but it is even more cowardly to take out a new Register.

[From Gujarati]

Indian Opinion, 20-10-1906

485. A RAY OF HOPE

There have not been two opinions on how far the Resolutions of the mass meeting will produce results. As for Resolutions 3 and 4, what will happen still remains to be seen. Their fruit is a long time away yet; and this depends upon the determination of the Indian community. Nothing but good can come of adhering staunchly to Resolution 4. However, who can say that it has not already begun to have effect? At one time it was thought that Resolution 3, about the sending of the deputation, might be dropped. Recent Press messages show that we did very well in sending the deputation in time. Our Johannesburg Correspondent says that the Secretary of State has sent a cablegram to Lord Selborne asking him to inform the British Indian Association that sanction to the Asiatic Act will not be accorded before the representation of the Indian deputation has been heard. This by itself shows that Resolution 3 has served its purpose. Among the reasons that prompted the Secretary of State to attach weight to Indian protests, the impact of Resolution 4 may be considered to be the primary one. Lord Elgin's cablegram proves the usefulness of Resolution 3 and also shows the impact of Resolution 4. Whether the deputation succeeds or not, this much is established that the Imperial Government has taken some notice of the Transvaal Indians. In these circumstances, the deputation will be able to do really good work. If Resolution 4 has begun to tell in such a short time, can it fail to have effect in England and elsewhere once it is actually put into execution?

[From Gujarati]

Indian Opinion, 20-10-1906

486. *TYLER, HAMPDEN AND BUNYAN*

We have, on an earlier occasion, cited the examples of these three men.[1] The chains that bind us would certainly snap even if a single person from amongst us did in South Africa a hundredth part of what these men did for their country.

Wat Tyler lived in the twelfth century[2]. Once the King of England imposed a heavy tax on farmers. The tax was unjust, and Tyler resolved not to pay it. Many farmers joined him. An army was sent against Tyler and his men. Tyler was killed, but the burden of tax on the farmers was ultimately removed. This event gave the people an awareness of their strength, further results of which were seen during the seventeenth century.

At that time, King Charles was the ruler of England and he wanted to wage wars in foreign lands. As his treasury had become empty, he imposed Ship Money. Hampden, a rich gentleman of great prestige, saw that, if Ship Money were paid, the King's demands would go on increasing and the people would suffer. He therefore refused to pay the tax, and many joined him in this. Though some of them agreed to pay the tax, Hampden remained firm and was prosecuted. The judges sentenced him, declaring that he had committed a crime in not paying the tax. Despite the sentence, Hampden did not pay the tax. Hampden and his companions went to gaol and the people congratulated them. Like them, the people too remained firm. Many did not pay the tax and there was a great revolt. The King became nervous and the whole matter was reconsidered. It was realized that thousands of people could not be sent to gaol. He therefore got the earlier judgment reversed by other judges and Hampden was set free. The seed of the struggle for freedom that he sowed grew into a mighty tree. As a result of the struggle he put up, Cromwell emerged and England acquired real power and the people were given a large share in the governance of the country. Hampden died fighting for his country; he remains immortal.

John Bunyan was a saintly man. His only interest was prayer to God. He saw the terrible religious oppression prevailing at the time, that is, in the seventeenth century. He did not think it proper to do the bidding of the Bishops. He hearkened only to the call of God. Parted from his wife and children, he remained in Bedford Prison for twelve years. There he wrote the most beautiful book[3] in the English language. Today hundreds of thousands of men derive solace by reading it. It is written in such simple language that children and grown-ups alike can read it with joy. The place where Bunyan was imprisoned has now be-

[1] *Vide* "The Duty of Transvaal Indians", 461-2.

[2] Wat Tyler lived in the fourteenth century.

[3] *The Pilgrim's Progress*

come a place of pilgrimage for the English. Bunyan himself suffered, but he freed his people from suffering and sorrow. It is because of saintly persons like Bunyan that people in England today enjoy freedom in matters of religion.

A people that has produced such a trinity—why should it not enjoy self-rule? If these men suffered so much hardship, it would not be too much for the Transvaal Indians to go to gaol or to suffer some loss in trade. If they do not, they will earn a bad name. If they do, their chains will break.

[From Gujarati]

Indian Opinion, 20-10-1906

SOURCES

COLONIAL OFFICE RECORDS : Housed in the Library of the Colonial Office, London. *Vide* Vol. I, p. 349.

GANDHI SMARAK SANGRAHALAYA, NEW DELHI : Central Museum and Library of Gandhian literature and documents. *Vide* Vol. I, p. 349.

India : Issued by the British Committee of the Indian National Congress in London, 1890-1921. *Vide* Vol. II, p. 369.

INDIA OFFICE RECORDS : Placed in the Library of what used to be India Office, these comprise papers and documents relating to Indian matters with which the Secretary of State for India was concerned.

Indian Opinion (1903-) : Weekly journal, founded in Durban, later shifted to Phœnix, of which Gandhiji was virtually editor till 1914, when he left South Africa.

KRUGERSDORP TOWN COUNCIL RECORDS, KRUGERSDORP.

LETTER BOOK (1905) : A bound volume received from Phœnix containing office copies of about a thousand letters by Gandhiji, mostly of a professional nature, written between May 10 and August 19, 1905.

Mahatma : Life of Mohandas Karamchand Gandhi : D. G. Tendulkar; Jhaveri and Tendulkar, Bombay; 1951-54, in eight volumes.

The Natal Mercury (1852-) : Daily newspaper of Durban.

PRETORIA ARCHIVES : Records of the Government of South Africa in Pretoria.

The Rand Daily Mail : Daily newspaper of Johannesburg.

SABARMATI SANGRAHALAYA, AHMEDABAD : Library and records containing documents relating to Gandhiji's South African and Indian periods up to 1933. *Vide* Vol. I, p. 349.

Satyagraha in South Africa : M. K. Gandhi; Translated from Gujarati by Valji Govindji Desai; S. Ganesan, Madras; 1928.

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SERVANTS OF INDIA SOCIETY, POONA.

The Star : Evening daily published from Johannesburg.

Transvaal Leader : Daily newspaper of Johannesburg.

CHRONOLOGY

(1905-1906)

1905

July 1 : Gandhiji criticized Natal Bills concerning licences, private Locations and tax on unoccupied rural lands and occupied dwelling houses. British Indian Association represented to High Commissioner that municipal legislation discriminatory of Coloured persons in Orange River Colony could be vetoed by Lt.-Governor.

July 8 : Gandhiji asked, in *Indian Opinion*, for abolition of salt-tax in India.

July 13 : British Indian Association protested against clause 3 of Ordinance vesting control of Asiatic Bazaars in Town Councils.

July 14 : Gandhiji sought from Johannesburg Town Council assurance of facilities to Indians travelling in trams.

July 15 : Criticized, in *Indian Opinion*, Cape Immigration Act.

After *July 17* : Wrote to *The Daily Express* challenging correspondent's low estimate of the number of Indian traders resident in Pietersburg before Boer War.

July 20 : Partition of Bengal announced.

July 22 : Gandhiji called upon South African politicians to reconsider treatment of British Indians in light of India's contribution to defence of Empire.

August 5 : Contributed 10s. to Edwin Arnold Memorial Fund.

August 9 : Poll-Tax Bill passed by Natal Legislative Council.

August 12 : Gandhiji commended, in *Indian Opinion*, Lord Selborne's pronouncement that administrative injustice to Natives was a blot and a disgrace.

Welcomed Natal legislature's rejection of Locations and Land Tax Bills, and Transvaal Supreme Court's judgment permitting transfer of religious property in the name of Coloured persons.

August 14 : Denied, in letter to Haji Habib, that his lectures on religion were critical of any religion or intended to hurt anyone.

August 19 : Called for united opposition to Bengal partition and supported boycott of British goods.

August 26 : Praised British Association for Advancement of Science and hoped it would one day meet in India; commented on Curzon's term of viceroyalty.

August 30 : British Indian Association objected to application to Indians of Municipal Location Bye-laws for Coloured persons in Orange River Colony.

September 1 : British Indian Association objected to rule requiring Indian refugees to furnish European references.

September 2 : Gandhiji attributed Japan's rise to Mikado's orders to armed forces concerning education and right conduct.

September 5 : Natal Indians objected to Government's proposal to throw open Indian school to Coloured children, and to make no distinction in education of boys and girls.
Peace between Russia and Japan signed at Portsmouth.

September 9: Gandhiji condemned, in *Indian Opinion*, maltreatment of Chinese miners.

September 16: Gandhiji considered Gokhale outstanding among candidates for presidentship of Indian National Congress.

September 30: Criticized Transvaal's contentious Ordinances touching rights of Coloured persons.

October 7: Urged Indians in South Africa to make suitable provision for education.
Condemning intolerance of Bhownaggree's moderate opinion, held that calm reasoning alone would get full measure of justice for India.
Dada Osman's appeal for trading licence dismissed by Licensing Board, Durban.

October 9: Potchefstroom Indian Association presented address and statement to Lord Selborne.

October 14: Gandhiji led deputation to Lord Selborne at Potchefstroom.
Warned South African Indians against plague outbreak.
Welcomed reported move in India to abolish salt-tax.

October 24: Received Prof. Parmanand and acted host to him.

October 28: At Johannesburg reception, introduced Prof. Parmanand.
Proposed that Natal Indian Congress set up licences committee.
Hailed progress of *swadeshi* movement in Bengal.

November 1: Called for communal harmony in Bengal to strengthen anti-partition agitation.

November 11: Writing about Gokhale-Lajpat Rai delegation to England on behalf of Indian National Congress, appealed to Colonial statesmen to treat India, "an integral part of the Empire", with every consideration.
Drew attention to hardships of Indian passengers on ships bound for South Africa.

November 13: Deputation of Asiatic National Convention, waiting on Lt.-Governor of the Transvaal, demanded board of control to consider applications for entry into Colony.

November 18: Gandhiji drew attention to discrimination against Japanese in British Colonies.

Asked British Indian League of Cape Colony to oppose immigration law.

November 25: Called for revision of poll-tax rules and its discretionary application to poor Indians.

November 29: Led British Indian deputation to Lord Selborne to protest against treatment meted out to British Indians in the Transvaal.

December 2: Criticized prison conditions at Stanger.
Commended *Bande Mataram* as India's national anthem.

December 4: As Secretary, British Indian Association, bade farewell to Sir Arthur Lawley, Governor-designate of Madras.

December 6: Cape Colony Supreme Court decided Natal Indians had right of domicile in Cape Colony, on basis of long residence, even when unacompanied by families.

December 22: British Indian Association protested to High Commissioner about bracketing of British Indians with Coloured persons in Orange River Colony draft ordinances.

After *December 22:* High Commissioner turned down Indian request for amending definition of "Coloured person" in legislation.

December 23: Gandhiji commended cause of education to Indian youth, citing Gokhale.
Deprecated third-party intervention in settlement of communal disputes in India.

December 30: Reviewed position of British Indians in South Africa during 1905 and appealed to Indians to continue struggle "with reasonableness, ... with patience and yet with persistence".
Deplored factious riots among Muslim community in Heidelberg.
Acted as best man at wedding of Mr. Polak and Miss Douns.

1906

January 1: £1 tax on Indians aged 18 or above enforced; Natal Early Closing Act came into force.

January 2: Earthquake disaster in San Francisco.

January 20: Mansukhlal Hiralal Nazar, at one time Editor, *Indian Opinion*, died.

February 3: Hindi and Tamil columns of *Indian Opinion* discontinued.

February 9: British Indian Association, in letter to Colonial Secretary, protested against changes in permit regulations.

February 10: Association protested to Johannesburg Town Council against restrictions on Indians using tram-cars.

February 14: Association took exception to prohibition of Indians' travelling by particular trains between Pretoria and Johannesburg.

February 16: Association joined issue with *Transvaal Leader* on question of Indians using tram-cars in Johannesburg.

February 22: In statement to Dadabhai Naoroji, Gandhiji stressed need for safeguarding Indian interests under responsible government in the Transvaal and Orange River Colony.

February 26: Suggested to Dadabhai Naoroji that a deputation wait on British Ministers on behalf of South African Indians.

February 28: Spoke at presentation of address by Natal Indian Congress to Abdul Kadir, retiring President.
Zulu Rebellion broke out during this month.

March 7: Gandhiji appeared for plaintiff in tram test case at Johannesburg.

Before *March 10:* Natal Indian Congress protested to Colonial Secretary against imposition of prohibitive fees for certificates and passes under Immigration Restriction Act.

March 10: Gandhiji criticized resolution of the Congress of Associated Chambers of Commerce of South Africa regarding "continual influx of Asiatics".
Waited in deputation on Assistant Colonial Secretary regarding permit grievances in the Transvaal.

March 11: Addressed meeting at Pretoria.

March 12: Appeared in tram test case and won.

March 16: Bill to amend Cape Immigration Restriction Act of 1902 published in *Government Gazette*.

March 17: Gandhiji exhorted Indians to volunteer their services to the Government on the occasion of the Zulu Rebellion.

March 19: In letter to Dadabhai Naoroji, drew attention to hardships under Peace Preservation Ordinance and Law 3 of 1885 in the Transvaal.

March 21: Addressed Coloured peoples' meeting at Johannesburg.

March 24: Commended Coloured peoples' petition to Imperial Government for franchise and other rights.

March 30: Dr. Abdurrahman met Lord Selborne regarding grievances of Cape Coloured people.
Dada Osman appealed to Secretary of State for Colonies against refusal to him of trading licence.

Before *March 31:* Imperial Government set up Commission on Transvaal Constitution.

March 31: Gandhiji deprecated import of Indian labour for Transvaal mines.

Before *April 7:* British Indian deputation met Railway authorities at Johannesburg to represent Indian grievances.
Gandhiji wrote to *Leader*, pointing out anomaly in restrictions on Indians' entry into the Transvaal.

April 12: Addressed letter to William Wedderburn on deteriorating condition of Indians in the Transvaal.

Before *April 14:* Durban Town Council passed resolution calling upon Licensing Officer not to issue fresh licences to hawkers.

Natal Indian Congress decided to send deputation to England under Gandhiji's leadership.

H. O. Ally waited on Sir Richard Solomon, Acting Lt.-Governor, concerning Malay Location.

April 23: At Durban meeting to consider future of *Indian Opinion*, Gandhiji reiterated its objects and appealed to Indian community to make it its own.

April 24: Welcomed establishment of Young Men's Mahomedan Association for promoting education; was entrusted with task of drafting its constitution.

Addressed Natal Indian Congress meeting which then offered to form an ambulance corps.

Before *April 26:* Was interviewed by *The Natal Mercury* regarding proposed deputation to Imperial Government.

April 28: Criticized Natal Stores Employees' Association for irresponsible statement on Shops Act.

Issued statement in reply to criticism at meetings of Young Men's Mahomedan Society about his speeches on Hinduism and policy of *Indian Opinion*.

Before *May 5:* Met General Manager, Natal Government Railways, regarding prohibition of Indians from travelling by certain trains between Johannesburg and Pretoria.

May 5: Appealed to Natal Goverment to consider Indian position regarding Land Clauses Bill in a statesmanlike manner.

Commended idea of starting chamber of Indian merchants.

Before *May 12:* British Indian Association wrote to Lord Selborne regarding permits and visitors' passes.

May 12: Gandhiji supported home rule for India "in the name of justice and for the good of humanity".

Before *May 14:* Constitution Commission held three meetings at Johannesburg.

Before *May 18:* Lord Selborne turned down British Indian Association's representation regarding permits.

May 18: Judgment favouring Indians' right to use trams awarded in Coovadia test case.

May 19: Johannesburg Municipality notified repeal of tram regulations and restoration of smallpox regulations which would serve to restrict the use of trams by Indians.

May 21: Gandhiji questioned, in *Transvaal Leader*, the ethics of Johannesburg Town Council's action.

May 22: Led representative deputation to Constitution Committee and presented Indians' viewpoint.

Before *May 25:* Lord Selborne refused to reconsider Indian stand on permits.

May 25: Gandhiji secured acquittal of minor boy charged with violating Law 3 of 1885..

May 26: Apropos of Queen Victoria's birthday celebrations, appealed to.public men of South Africa to abjure race hatred and colour prejudice.

May 27: Wrote to brother, Lakshmidas, declaring his disinterestedness in worldly possessions.

May 29: Presented statement to Constitution Committee.

May 30: British Indian Association decided to include Haji Habib and Ally in deputation to England.

Natal Government accepted Congress offer regarding ambulance corps.

June 2: Gandhiji pleaded for better amenities to deck-passengers.

Addressed meeting of Indians in Durban to raise funds for ambulance work.

Before *June 6:* British Indian Committee, London, suggested Gandhiji alone proceed to England to present Indian case.

Chairman, British Indian Association, and Polak not allowed to use tram in Johannesburg.

British Indian Association decided to file test cases regarding permits if Government failed to redress Indian grievances.

June 8: Gandhiji informed Dadabhai Naoroji that deputation to England was deferred in view of ambulance work at the front.

June 9: Appealed to Indians for contributions to Soldiers' Fund.

Before *June 13:* Issued statement to *The Natal Mercury* on difficulties of Indians.

June 16: Indian Stretcher-Bearer Corps' pledge of allegiance published in *Indian Opinion*.

Gandhiji was medically examined and certified fit.

June 21: Ambulance Corps received marching orders.

June 22: Gandhiji given rank of Sergeant-Major by Government. Entrained with Ambulance Corps.

Wrote to Gokhale about Corps; invited him to visit South Africa on way back home.

Before *June 23:* Bhyat's right to a permit under Peace Preservation Ordinance vindicated in court.

June 23-July 18: Gandhiji on ambulance duty at the front.

July 19: Stretcher-Bearer Corps disbanded.

July 20: Members of Corps feted at Stanger. Gandhiji spoke at Congress reception in Durban.
Suggested that Indians be allowed to join permanent volunteer corps.

July 23: Congress resolved to present medals to members of Corps. Gandhiji spoke at Diamond Jubilee Library meeting.
British Indian Association emphasized necessity of sending deputation to England.

July 30: Gandhiji sought Wedderburn's opinion on deputation's usefulness.
Wrote to Principal Medical Officer of Natal Militia suggesting formation of permanent Ambulance Corps and exphasizing special training for it.

August 4: Pointed out difficulties of Indian refugees seeking to re-enter the Transvaal.
Wrote on differences between Lyttelton and Elgin constitutions.
Colonial Secretary informed Legislative Council of Government's intention to introduce Bill to re-register Asiatics in the Transvaal.
British Indian Association proposed immediate action.

August 6: Gandhiji wrote to Dadabhai Naoroji about hardships of Transvaal Indians under proposed re-registration and suggested that latter interviewed Secretaries of State for India and Colonies.

August 7: Sir Henry MacCallum, Natal Governor, thanked Gandhiji for services rendered by Stretcher-Bearer Corps.

Before *August 9:* In letter to *The Rand Daily Mail*, Gandhiji demanded full civil liberty for Indians.

August 11: Analysed, in *Indian Opinion*, Colonial Secretary's statement on re-registration Ordinance.

August 12: Spoke at Hamidiya Islamic Society exhorting Indians to organize a protest against Colonial Secretary's statement on Ordinance.

August 13: In letter to Dadabhai Naoroji, pointed out need for equitable legislation by Imperial Government concerning the Transvaal.
Natal Indian Congress petitioned Lord Elgin regarding Municipal Consolidation Bill.

August 18: Favoured adoption of Hindustani in India for achieving nationhood.
Reported Malay Location Committee's decision to challenge Town Council's rejection of petition.

August 21: Cape Licences Act gazetted.

August 22: Draft Asiatic Law Amendment Ordinance published in Transvaal *Government Gazette.*

August 25: Gandhiji demanded British Indians be no longer classed with ed people.
British Indian Association in letter to Colonial Secretary protested against Ordinance.

August 28: Gandhiji cabled *India* concerning re-registration under Ordinance; suggested commission of enquiry.

September 1: Led deputation to Colonial Secretary at Pretoria.

September 4: Ordinance introduced in Transvaal Assembly.

September 8: Gandhiji described Government's persistence in enacting Draft Asiatic Ordinance as crime against humanity.
British Indian Association cabled protest to Secretaries of State for India and Colonies and Viceroy of India against proposed Ordinance.

Before *September 9:* At meeting, Gandhiji interpreted "the Black Act" as first step to hound Indians out of country, and called for resistance.

September 9: Spoke at Hamidiya Islamic Society meeting, on political situation in the Transvaal and stressed need to send deputation to England; advised people not to register, and offered himself to court imprisonment first.

September 11: Mass Meeting of British Indians at Johannesburg demanded withdrawal of Ordinance; warned Indians would resort to resistance if Ordinance became law.

September 12: British Indian Association sent Transvaal Lt.-Governor resolutions passed at Mass Meeting. Gandhiji wrote to *The Rand Daily Mail*, explaining his stand.

Before *September 14:* British Indian Association wrote to *The Star* affirming Indians' resolve not to submit to unbearable conditions.

September 14: Indian woman, Punia, travelling by train, arrested and detained at Volksrust for being without separate permit.

September 15: Punia tried, ordered to leave Colony and re-arrested at Germiston for defiance of order.

September 18: High Commissioner informed British Indian Association that Ordinance had not yet received formal assent.

September 19: Apropos of Punia case, Gandhiji wrote to Press criticizing Transvaal Government for its war on women and even infants.

September 20: Declared his readiness to accept court of enquiry to investigate illegal influx of Indians into the Transvaal.

September 21: Wrote to *Leader*, challenging its statement that Indians were bringing into Colony women of indifferent character as wives.
The Natal Mercury published official explanation of Punia case.
Indian meeting finally decided to send Gandhiji and Ally as a deputation to England.

Lord Selborne informed British Indian Association that assent would not be given to Ordinance until deputation had visited England.

September 24: Lord Selborne communicated to British Indian Association Lord Elgin's view that deputation would serve no useful purpose.

September 26: Association enquired of Transvaal Governor if Ordinance had been accorded Royal sanction.

Before *September 29:* Lord Selborne wrote to British Indian Association, refusing to accept latter's point of view regarding Ordinance.

September 30: Association wired Transvaal Governor requesting Imperial Government to withhold assent to Vrededorp Stands Ordinance till deputation had represented Indian viewpoint.
Deputation accorded farewell on eve of departure.

October 1: Gandhiji and Ally entrained at Johannesburg for Cape Town, *en route* to England.

October 3: Deputation reached Cape Town and after reception by leading Indians, boarded s.s. *Armadale Castle.*

October 8: British Indian Association forwarded to Transvaal Governor text of cable to Secretary of State for Colonies requesting stay of Vrededorp Stands Ordinance pending representation.
Association petitioned Lord Elgin regarding Vrededorp Stands Ordinance.

October 9: *Transvaal Leader* retracted statement of its Durban correspondent libelling Indian women.

October 10-11: Gandhiji wrote dispatches for *Indian Opinion;* was studying Tamil.

October 20: His answers to questions regarding Asiatic Ordinance and methods of resistance published in *Indian Opinion.*
Deputation arrived in Southampton.

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The British Indian Association resolved to send Gandhiji and H. O. Ally as a deputation to England to remonstrate with the Colonial Office and plead for the withholding of the Royal assent to the Ordinance. Gandhiji agreed to go, but only after securing individual pledges from Indians that they would not submit to re-registration if the Ordinance were to become law.

This volume furnishes the detailed context in which Gandhiji chose the *vanaprastha* way of life and emerged as a leader who realised that "some new principle" had come into being. This was the principle which later came to be called *satyagraha*.